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TAGS: [PHUM](#) [ASEC](#) [KTIP](#) [KCRM](#) [KWMN](#) [SMIG](#) [KFRD](#) [PREF](#) [ELAB](#) [IS](#)  
KPAL, CE, CH, EG, EI, IN, MD, NP, RO, RP, RS, TH, TU, UK, UP, UZ

SUBJECT: EMBASSY TEL AVIV'S CONTRIBUTION TO THE NINTH ANNUAL  
TRAFFICKING IN PERSONS (TIP) REPORT

REF: 2008 STATE 132759

1. This cable is Embassy Tel Aviv's contribution to the Department's ninth annual Trafficking in Persons (TIP) Report. Embassy Tel Aviv POC for this report is Alan Holst, 972-3-519-7437, holstar@state.gov. In addition to this cable, the complete GOI and NGO responses will be emailed to relevant Department of State POCs for Israel as identified in 2008 State 132759.

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2. THE COUNTRY'S TIP SITUATION  
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A1. What is (are) the source(s) of available information on trafficking in persons?

Sources for information include the Government of Israel (GOI) whose efforts are led by the National Coordinator for Anti-Trafficking Efforts in the Ministry of Justice (the National Coordinator), Physicians for Human Rights Israel, Amnesty International Israel, Hotline for Migrant Workers (Hotline), Kav LaOved, Isha L'Isha-Haifa Feminist Center (Isha L'Isha), The Center for International Migration and Integration (CIMI), The Association of Rape Crisis Centers in Israel (ACRI), Mesila - the Assistance and Information Center for Foreign Workers (Mesila), and Choosing Freedom, a joint venture run by Hotline, Isha L'Isha, and ACRI.

A2. What plans are in place (if any) to undertake further documentation of human trafficking?

Post does not anticipate additional input from local sources.

A3. How reliable are these sources?

These sources are very reliable.

B1. Is the country a country of origin, transit, and/or destination for internationally trafficked men, women, or children?

Israel is a country of destination for trafficking for the purposes of labor and prostitution. Israel is not considered a country of origin for trafficking, although media and NGO reports suggest a few Israeli women were trafficked to other countries for the purpose of prostitution.

B2. Does trafficking occur within the country's borders?

Yes.

B3. If so, does internal trafficking occur in territory outside of

the government's control (e.g. in a civil war situation)?

No.

B4. To where are people trafficked?

Media and NGO reports charged that a small number of Israeli women were trafficked to the UK and Ireland in 2008 for the purpose of prostitution.

B5. For what purposes are they trafficked?

People are trafficked to Israel for the purposes of labor and prostitution.

B6. Provide, where possible, numbers or estimates for each group of trafficking victims.

According to the GOI, there has been a sharp decline in recent years in the number of women trafficked to Israel for prostitution, citing a decline in the number of trafficking victims located by law enforcement agencies and by the Knesset Subcommittee on Trafficking. The GOI reported that 12 trafficking victims for prostitution were transferred by the Police to the Maagan Shelter in 2008, but that most of them were trafficked several years ago. In 2008, there were 44 trafficked women (six were trafficked for labor) in the Maagan Shelter over the course of the year. At the time of this report, 25 women and five children resided at the shelter. NGO responses were less certain that sex trafficking had declined, but agreed that it had changed in nature and was harder to detect.

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Regarding labor trafficking, the Ministry of Industry, Trade, and Labor (MITL) issued approximately 94,000 permits for employment of foreign workers in various fields. The majority of these permits were issued to elderly or handicapped persons needing full time caregivers, and to farmers requesting employment of temporary agricultural workers. Estimates on the number of workers who become victims of labor trafficking vary widely.

For example, Hotline reported that it received 1073 requests in 2008 for assistance from migrant workers, including labor complaints unrelated to trafficking, and said that during the reporting period it had processed 14 new cases of slavery and forced labor. (Hotline noted that it does not have access to all trafficking victims, and said that the Tribunal for the Review of Custody of Persons Present Unlawfully, which orders deportations, does not locate or identify such individuals if they are in prison.) Cases that Hotline determined to be trafficking cases thus constituted one percent of complaints that it handled during the year. In its response for this report, Hotline estimated that there are approximately 180,000 migrant workers in Israel, and wrote "if we assume that one percent of these are trafficking victims, this produces the figure 1,800" (victims of labor trafficking.) Hotline's estimate of the number of labor trafficking victims in Israel therefore seems a speculation based on a percentage of complainants that was then applied to the percentage of total workers. The estimates of the leading NGOs are made in good faith, and they do provide numerous cases that seem to fit our definitions of labor trafficking. But the speculative and apparently arbitrary nature of this example illustrates the challenge in quantifying the extent of the labor trafficking problem in Israel.

B7. Have there been any changes in the TIP situation since the last TIP Report (e.g. changes in destinations)?

The GOI reported a change in patterns of trafficking for prostitution, which it said has "gone underground." Women were no longer held under lock and key in houses of prostitution or bought and sold for money, according to the GOI, which did not find the same degree of violence and control as in the past. As described by the GOI, the new system had call girl establishments or "discrete" apartments whose conditions are better than they were in the past, and prostitutes "consequently are less likely to complain." The GOI also noted that the internet was increasingly used to facilitate

prostitution.

There was some disagreement between different judicial offices on this matter. According to the GOI, the Tel Aviv District Attorney's Office observed a change in the pattern of trafficking for the purpose of prostitution in which the traffickers attempted to "disguise" their occupation. The GOI submitted that in this new pattern, traffickers abstained from using violence on their victims (in contrast to cases that took place until 2005), refrained from detaining the legal documents of the victims, did not lock up the victims, and allowed the women to receive a small portion of the fees paid for their services. The District Attorney, in the words of the GOI, is of the opinion that these changed circumstances still point to the existence of trafficking, albeit in a different form, with evidence showing control, supervision, and objectification of the victims, even if there was no "classic" aspect of buying/purchasing or dominance as in past cases. The GOI reported that the Tel Aviv District Court did not agree with this position, and cited an October 16 release of defendants by the District Court and denial of a request for detention until the conclusion of proceedings in the case. The presiding judge determined that there was no substantial evidence on which to base the TIP offense, no indication of the "purchase" of the complainants, no coercion to engage in sexual intercourse without paying for it, no physical examination of the complainants in order to "gauge their fitness to engage in prostitution", or any other "indications that the women had been trafficked." This decision provoked an extensive public debate, and was deliberated upon in discussions of the Subcommittee for Trafficking in Women. The two offices remained in disagreement on this subject at the time of this report.

According to Isha L'Isha, an increasing number of Israeli women were trafficked for the purpose of prostitution in 2008.

The August 15, 2008 edition of Yedi'ot Aharonot reported that Chinese women were being trafficked for sex to Chinese and Thai workers, some or many of whom might be labor trafficking victims themselves. The article described gruesome conditions encountered

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by the women.

In June and July 2008, Israel ratified the two major international treaties on trafficking: The Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography; and The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

#### 1C. What kind of conditions are the victims trafficked into?

The GOI reported that it estimated that most trafficked women were engaged in "discrete" apartments or by escort agencies, and said the conditions provided by the escort agencies were relatively less harsh than in brothels, citing less violence, higher wages, and more freedom of movement. In the words of Isha L'Isha, it depended on the brothel and its location. If it was what they called an "explicit center of the sex industry", the conditions were very extreme: no windows or grates or even the minimum conditions for living." If it was a "VIP" brothel, the conditions were better and the women had more freedom, according to Isha L'Isha.

The GOI agreed that migrant workers arriving in Israel may be exposed to several forms of abuse or violations of their rights, but emphasized that "only the most severe cases can be considered slavery, forced labor or trafficking." According to the Immigration Administration, living conditions of foreign workers generally ranged between "reasonable" and "good", although they acknowledged that there were exceptions. Most of the violations of migrant workers rights concerned working hours and the amount of wages paid, according to the GOI, which also said there was evidence of some cases where workers were employed for extremely long hours or not given days of rest, holidays or breaks as required by law. The GOI also said there were cases of workers whose freedom of movement was drastically curtailed (including withheld passports) or some measure

of physical or psychological violence was used, including some cases of sexual harassment. The GOI also said in its reply that some workers arrived in Israel "after committing themselves to a debt of over \$15,000 in their countries of origin, thus becoming more vulnerable to abuse because they are in greater need of employment."

According to Hotline, Yael Gur, director of the Ministry of Health's Levinsky STD Clinic, reported at a Knesset session on October 29, 2008 that she was aware of some 150 women who are employed as prostitutes in conditions of slavery. Gur reportedly stated that the women were held in a state of "objectification, control, and deprivation, but they do not know to complain and, unfortunately, they do not have sufficient trust in the police to tell them." Hotline noted that a new state-run project (under the auspices of the Ministry of Health and the Ministry of Social Affairs) to rehabilitate women working as prostitutes that was announced in January 2007, began operations in December 2008. The project includes the establishment of day shelters in Tel Aviv and Haifa, and activists will also go out into the field. Hotline explained that the hope is the project will locate and rehabilitate Israeli women who have been the victims of trafficking and are being held in conditions of slavery.

Hotline stated that, in general, the trafficking situation had not changed much during the reporting period. In Hotline's words, "There is almost no enforcement. This year, as in the past, the new women we have helped who were sex trafficking victims had been brought to Israel years ago. As for trafficking for the purpose of slavery, the victims mainly come from the same countries mentioned in our last report (China, Sri Lanka, India, and Nepal) and for the same purposes (mainly to work in private homes.)" Hotline also reported that it had observed little if any change in the conditions of sex trafficking victims. According to Hotline, conditions of slavery included withholding of passports, insufficient food, isolation from the outside world and prohibition from communicating with others, inability to leave the home (because they were locked inside, or due to threats, or because their documents had been taken, or because they were afraid of what might happen outside), working for long hours without rest, insufficient or missing pay, and failure to regulate their legal status. Hotline said that some victims reported physical violence, others were subjected to verbal violence and threats, some were made to sleep on a mattress on the floor, some were not allowed showers, one woman stated that she was given a fixed period of time to go to the toilet, and one man

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reported that his employer made him clean up the employer's feces without gloves.

1D. Vulnerability to TIP: Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, IDPs, etc.)?

According to the GOI, the average age of victims of trafficking for the purpose of prostitution was 18-35, with most victims being women aged 20-26. The government reported that most victims of trafficking for prostitution came from the former Soviet Union, primarily from Ukraine, Moldova, Russia, and Uzbekistan. The individuals at highest risk were identified as poor, abused, or neglected women. Isha L'Isha said that it observed a sharp rise in the exploitation of Arab women for prostitution. Hotline reported that most internally trafficked Israeli women were drug addicts subject to violence by clients, traffickers, drug peddlers and "anyone else they come into contact with."

Israel is also a country of destination for temporary migrant workers from Asia, Eastern Europe and Africa. The GOI agreed that middleman fees that foreign workers are required to pay in their countries of origin in order to obtain a work permit in Israel was a key aspect of their vulnerability. The Immigration Administration estimated that foreign workers at the greatest risk for abuse trafficking were from Thailand, Sri Lanka, Nepal, China and India. The National Coordinator estimated that Thai agricultural workers were highly vulnerable due to circumstances having to do with their isolated places of work, compounded by lack of familiarity with the

language and with their cultural background. The National Coordinator determined that women working in the nursing care field were highly vulnerable due to the isolated nature of their work within a home. Philippine domestic caregivers were also vulnerable because of the isolated nature (alone, within a home) of their work.

While the population of African asylum seekers has risen from approximately 200 in August 2006 to estimates of more than 20,000 at the time of this report, we received no reports that this population was being trafficked.

Kav LaOved reported that while the law does not permit employment agents to charge foreign workers more than NIS 3,150 (\$800) plus airfare for a job in Israel, in practice, the sums paid by migrant workers who arrive to Israel are much higher.

China - \$25,000 (mostly in the construction industry)  
Thailand - \$8,000 - \$12,000  
Nepal, India, Sri Lanka - \$6,000 - \$10,000  
Philippines, Moldova - \$4,000 - \$9,000  
Romania - \$2,000 - \$3,000

The GOI agreed that, in some cases, migrant workers arriving in Israel "find themselves in situations in which their labor rights or human rights are not respected, in which they are sexually or otherwise abused, or have their basic freedoms limited." General examples provided by the GOI included workers who arrived in the country only to find that the employer who invited them has passed away or was not interested in employing them, or recruited workers who lacked the necessary and basic skills to fulfill the employer's needs and were dismissed by the employer after a short period of employment. The GOI acknowledged that foreign workers encounter difficulties in finding alternate legal employment due to their lack of knowledge of the Israeli procedures, culture and language, and that these factors can lead to situations where they are abused or defrauded.

In summary, the combination of the illegally excessive fees and perceived lack of freedom to change employers puts foreign workers at great risk for exploitation and trafficking. Furthermore, as detailed in B6, the extent of the problem is open to much debate, and estimates as to the number of labor trafficking victims in Israel vary widely. For a variety of reasons - language barriers, isolated circumstances, distrust of authorities by many workers, fear (because of large debts incurred due to the aforementioned excessive job placement fees, often due to economic reasons rather than safety concerns), the perception of some/many workers that the difficult conditions and low pay are still better than what they would find in their home country, and the often unclear line between labor trafficking and labor law violations - identifying labor trafficking victims is a problem for both the GOI and NGOs. The

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risks and the populations at risk are well known, but the numbers remain elusive.

E1. Traffickers and Their Methods: Who are the traffickers/exploiters? Are they independent business people? Small or family-based crime groups? Large international organized crime syndicates?

The GOI reported that trafficking for prostitution was often conducted by organized crime groups, with cases of trafficking by families or individuals. The organized crime groups were most often comprised of members from the former Soviet Union states, according to the GOI, which reported native-born Israelis traffickers in some cases. The GOI reported that, according to information accumulated by the Immigration Administration, including investigation files and intelligence information, organized crime did not appear to be involved in trafficking for the purpose of labor.

According to Isha L'Isha, all of these groups were involved, but the sex traffickers often were at least connected to the underworld and to organized crime. Isha L'Isha reported that it had not seen any involvement of travel agencies in trafficking. There are

traffickers known to the police that weren't arrested due to lack of evidence, according to Isha L'Isha, who described active trafficking in northern Israel. Isha L'Isha also described cases in which boyfriends forced women into prostitution for drugs, and husbands exploited their wives for prostitution income.

Regarding trafficking for the purpose of prostitution, Hotline suggested that people on the ground - drivers, brothel managers and other operatives - tended to be opportunists looking to make quick money.

Regarding labor trafficking, Hotline reported that foreign workers are recruited through manpower agencies in source countries with offers of lucrative jobs, or through friends who provide the contact person in Israel and "tempt them to pay for a visa which sometimes they get and sometimes never receive." According to Hotline, labor traffickers tend to be private individuals who employ domestic workers (with or without permission by the government) or agriculture workers, and some are private manpower agencies. Hotline said there was usually someone from the origin country who worked with an Israeli partner. Hotline also described the well-known (in Israel) problem of "flying visas", where the work visa the foreign worker received turned out to be baseless, such as visas issued to work for an elderly man that has already died, or visas issued to work for someone who doesn't require a caregiver. At this point, Hotline continued, the worker finds himself in huge debt, without work, and with no legal status in Israel because of the employer/employee binding policy for foreign workers.

E2. What methods are used to approach victims? For example, are they offered lucrative jobs, sold by their families, or approached by friends of friends?

The GOI responded that, according to information gathered by the police from victims' testimonies, most victims answered ads placed in local newspapers or websites in their countries of origin. Alternate sources were personal relations - friends, relatives, or acquaintances sometimes persuaded young women to travel outside their countries for "work" that turned out to be prostitution.

Isha L'Isha reported that an increasing number of Israeli women were trafficked by pimps who lured women into prostitution with drugs.

Regarding labor trafficking, the GOI responded that cases under investigation for trafficking offenses "which apply in Israel" generally related to foreign workers who were employed under conditions that severely limited their freedom. According to the GOI, labor trafficking cases were not "classic" cases as in trafficking for prostitution "in that the pattern is not that of workers being approached in countries of origin with offers of lucrative jobs for the purpose of enslaving them, but rather middlemen who require payment of large sums in order to allow the worker to obtain a permit and who care only about the money, and not about what happens to the worker subsequently in the country of destination." The GOI responded that high middleman fees made the workers more vulnerable to exploitation by employers, but because these employers had "no connection" with the mediators or middlemen, the indictment filed on forced labor and the four pending cases of forced labor focused on the conditions in Israel rather than on the

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recruitment abroad.

E3. What methods are used to move the victims (e.g., are false documents being used?). Are employment, travel, and tourism agencies or marriage brokers involved with or fronting for traffickers or crime groups to traffic individuals?

Most of the victims trafficked for prostitution were smuggled through the Israeli-Egyptian border, according to the GOI, which added that in recent years there has been an increase in the number of prostitutes who entered through the Ben Gurion Airport with forged documents. The GOI reported that there have been no known cases of trafficking through maritime borders in recent year, and noted that most of the trafficking victims identified in 2008 were trafficked to Israel in previous years, usually earlier than 2005.

The GOI responded that it generally had not found travel agencies or marriage brokers serving as fronts for sex or labor trafficking, but added that government agencies carefully monitored individuals with a history of pandering or trafficking, who married women from countries of origin for trafficking, on suspicion that in some cases the marriages may have been used to traffic the women into prostitution. The GOI said that this allegation was very difficult to prove but that several agencies were involved in the monitoring efforts, including the Ministry of the Interior, the Police, the State Attorney's Office, the Ministry of Foreign Affairs, the Nativ Contact Center, and the National Coordinator.

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13. SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS  
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1A. Does the government acknowledge that trafficking is a problem in the country? If not, why not?

The government acknowledges a trafficking problem in Israel. The GOI reported that The Ministry of Justice announced that Trafficking in Persons will be the main theme of the Ministry again in 2009, as it was in 2008, with a special emphasis on the issue of training in all levels of the Ministry.

1B. Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

Many government agencies are involved in anti-trafficking efforts. The lead agencies are the Ministry of Public Security and the Israeli Police; the Immigration Administration; various branches of the Ministry of Justice (including the Attorney General, State Attorney, the Legal Aid Division, the Tribunal for Detention Review, the Administrator General and the Department of International Agreements); the Ministry of the Interior; the Ministry of Social Affairs and Social Services; MITL; the Prime Minister's Office (particularly the Authority for the Advancement of the Status of Women); the Ministry of Education; and the Ministry of Foreign Affairs. Overall coordination comes from the National Coordinator for Anti-Trafficking Efforts in the Ministry of Justice.

The GOI described the National Coordinator as having "a central role in the fight against trafficking on two levels: creating mechanisms to encourage cooperation and designing substantive initiatives."

The GOI reported that the National Coordinator performed the following responsibilities during 2008:

- Assisted policy making, in particular as regards protection of victims;
- Made efforts to identify trouble spots and devise solutions;
- Maintained communication with international entities and learned from comparative materials;
- Promoted education and training and encouraged research;
- Developed channels of communications between the GOI and NGOs to strengthen cooperation;
- Dealt with specific problems that arose;
- Promoted legislation, regulations and procedures important for the battle against trafficking;
- Was active with government ministries that participate in the battle against trafficking, creating procedures that create a climate unfriendly to trafficking;
- Contributed to the creation of more positive procedures;
- Initiated and assisted in projects important to the battle against trafficking;
- Served in an advisory capacity to government agencies and other

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bodies (including the Joint Distribution Committee) who needed information on relevant issues; and

- "Most importantly, her first concern is the battle against trafficking and as such, she places the issue in the foreground of any context in which she appears. She also sees as her first duty ascertaining that Israel accords with international standards in this area and in particular a human rights focus." A full description of the National Coordinator's activities can be found



starting on page 40 of the GOI response.

Isha L'Isha reported that "almost all" government authorities responded to its requests, but added that the Ministry of Interior cooperated only if when the victim was returning to her country of origin and rejected requests if there was an issue of allowing the victim to remain in Israel for humanitarian reasons. Isha L'Isha also complained of "unequal procedures" in the National Insurance Institute that they said discriminated against foreign women by not giving them their rights as single mothers to Israeli children with Israeli IDs. The Ministry of Justice led assistance in the treatment of the trafficked victims, according to Isha L'Isha, but added that the Attorney's Office of the northern region ignored "almost completely" the phenomenon of trafficking in women. Isha L'Isha claimed that this office's attorneys were "completely ignorant" of women's rights, "even those (women) who give evidence against pimps and traffickers."

Amnesty International Israel reported that the Police (or more specifically the education unit) were interested in having policemen exposed to TIP and what their role should be in combating the problem, but "not to the degree of deciding to actively force units to order lectures from us." Amnesty International Israel praised the Border Police, however, who they said saw TIP as a high priority issue.

The Population, Immigration and Border Authority in the Ministry of the Interior was created in 2008 (it formally began operations in August) for what the GOI described as "the purpose of concentrating governmental powers concerning foreign nationals, previously distributed between various Government Ministries, in one central authority." This new Authority replaced the Population Registry in Ministry of the Interior and assumed responsibility for implementation of Government policies regarding foreign nationals, including foreign workers. A full description of its activities can be found beginning on page 18 of the GOI response.

C1. What are the limitations on the government's ability to address this problem in practice? For example, is funding for police or other institutions inadequate?

Regarding labor trafficking, the GOI responded that "one can assume that part of the money is transferred to recruitment agencies in Israel" but "to date, supportive evidence which would allow criminal prosecution of the agencies has not been found, and according to the legal regime in these countries of origin, the authorities in Israel are not permitted to independently investigate this phenomenon in these countries.

The GOI generally cited resource allocation issues (mostly in competition with security concerns) as limiting funding below optimal amounts, and also said that the large workload of the court system, especially the Tel Aviv District Court, made it very difficult to run large-scale criminal proceedings, especially ones relating to multiple defendants and witnesses. A full description of limitations as seen by the GOI, including specific cases cited by the State Attorney's Office, can be found starting on pages 45 and 76 of their response.

Hotline stated that the experience of previous years had proven that the government was "capable of creating significant impact both in regards to enforcement and protection" in the area of sex trafficking, but that "as far as we can tell, this has now become a low priority issue, especially with the Police." Hotline charged that the Police did not initiate any investigations into trafficking of Israelis trafficked internally and externally, and that trafficked Israeli women were not recognized as such.

Hotline acknowledged that distinguishing between "exploitation and scams, on the one hand, and trafficking and slavery, on the other, is not as easy as determining when foreign women have been trafficked for the purpose of prostitution." Hotline continued that "as we noted in the last report, we believe that it is still a case

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of lack of knowledge and especially experience in identifying



victims and a total and completed dependence on the police to define who falls into the 'trafficking' category."

Hotline quoted several government representatives from a parliament meeting on July 1, 2008. Dorit Ben Meir, the head of the Unit for Combating Crime Against Foreigners at the Immigration Authority, reportedly said "I'm not confident that everyone understands and has assimilated this new felony. Even today, I'm not confident that people know the difference between forced labor and slavery. We investigated many files and it turned out that it is not always a case of slavery, rather it is forced labor. In the end, the charges are brought down to passport confiscation and the files are closed."

Tanya Goldstein, from the Legal Department of the Ministry of Interior, reportedly said "In terms of identification, we have an objective problem. The police claim that a person is not a victim and we must rely on the worker himself. We do our best to identify but these cases are problematic." According to Hotline, "this paints an overall picture of a slow and cumbersome system that lacks flexibility, impeding its ability to deal with complexities in the field."

C2. Is overall corruption a problem?

No. Isha L'Isha reported some bureaucratic problems that sometimes hindered anti-trafficking efforts, but said they had not seen any corruption.

C3. Does the government lack the resources to aid victims?

No, although competition with other State priorities for available resources is of course an issue. The GOI reported that a significant part of the (anti-trafficking) budget was allocated to assisting victims.

1D. To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts -- prosecution, victim protection, and prevention) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

The GOI reported that the National Coordinator attempted to monitor the efforts of government agencies on both micro and macro levels to "identify problems and seek solutions" by requesting information and making recommendations to various Government agencies, convening a permanent team appointed by the Committee of Directors General, and applying to the Chairman of the Committee of Directors General on several occasions as needs arose. The National Coordinator conducted five meetings with members of the Immigration Administration, seven meetings with Ministry of the Interior officials, six meetings with State and District Attorney representatives, four meetings with Maagan Shelter staff, and six meetings with the Ministry of Foreign Affairs. The National Coordinator also initiated meetings with NGOs and government officials, visited detention facilities, participated in training of law enforcement authorities, and prepared an annual summary of the GOI's steps to combat trafficking that was posted on the internet.

The Parliamentary Subcommittee of Trafficking in Women Subcommittee of the Committee on the Status of Women monitored sex trafficking, advocated legislative solutions, and held an annual session following the publication of the State Department's TIP Report to discuss issues raised in the report. Unfortunately, Subcommittee Chairperson Zehava Gal-On, a longtime leader in Israeli anti-trafficking efforts, will probably not return to the Government following a poor showing by her party in the February 10, 2009 national election. The Special Parliamentary Committee on the issue of Foreign Workers was not as active in addressing trafficking of foreign workers.

A full description of Government monitoring efforts can be found beginning on page 50 of the GOI response.

Isha L'Isha described the state's efforts to combat sex trafficking in 2008 as "abundant" generally, although it urged that more pressure be put on the Attorney's Office and police for the northern region, which it said "do not start police procedures in trafficking" and "even claim that the phenomenon doesn't exist."

14. INVESTIGATION AND PROSECUTION OF TRAFFICKERS  
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For questions A-D, posts should highlight in particular whether or not the country has enacted any new legislation since the last TIP report.

A1. Existing Laws against TIP: Does the country have a law or laws specifically prohibiting trafficking in persons -- both for sexual exploitation and labor?

Yes.

A2. If so, please specifically cite the name of the law(s) and its date of enactment and provide the exact language [actual copies preferable] of the TIP provisions.

The Anti Trafficking Law came into force on October 29, 2006. Most of its provisions were incorporated into the Penal Law, 5737-1977 (the "Penal Law"). A copy of the Law is appended as Addendum 2 of the GOI response. The law includes five core offenses.

(1) Trafficking in Persons - Section 377A (a) of the Penal Law - carries maximum penalties of 16 years imprisonment and 20 years of imprisonment if the victim is a minor. The crime includes two elements - "transaction in (not with) a human being" for one of seven purposes (removal of organs from the victim's body, having the victim give birth to a baby and taking it from him, bringing a victim to a condition of slavery or forced labor, bringing the victim to an act of prostitution, bringing the victim to participate in a pornographic publication or exhibition, committing a sexual offense against the victim).

The GOI emphasized that, from their perspective, the elements of trafficking in Israel are different from that in the United States because the U.S. law requires three elements (moving a person from one place to another, by foul means, for a pernicious purpose) while the Israeli law requires only two elements (transaction in a person, for a pernicious purpose.) According to the GOI, whereas the United States requires that the victim be moved from one place to another, Israel does not, nor does it require that foul means be employed towards the victim, and the victim's consent is wholly irrelevant to the Israeli law whether the victim is a minor or not. The GOI also argued that the Israeli law details seven purposes, whereas the U.S. law details only two - commercial sexual exploitation and labor exploitation. The GOI argued that unlike the American crime, the Israeli crime requires a "transaction in a human being, thus reflecting the view that the essence of trafficking lies in the objectification of a person."

(2) Abduction for the Purpose of Trafficking - Section 374A of the Penal Law - carries a maximum penalty of 20 years of imprisonment. The crime requires the following three elements - inducing a person to move from one place to another, by means of threats or force or by obtaining his/her consent by fraud, for any of the purposes of trafficking in persons as detailed in Section 377A (a). According to the GOI, this crime is almost the same as the U.S. trafficking in persons offense because both require essentially the same three elements - moving a person from place to place, by foul means, for pernicious purposes. (The GOI response added that the Israeli section "includes more such pernicious purposes than does the American section.")

(3) Holding a Person under Conditions of Slavery - Section 375A of the Penal Law - carries a maximum penalty of 16 years imprisonment, 20 years if committed against a minor. The two core elements include: holding a person under conditions of slavery (slavery is defined as exercising towards the victim the powers regularly exercised towards property, including exercising significant control over his/her life or deprivation of his/her freedom); and holding a person for the purpose of work or services, including sexual services.

(4) Forced Labor - Section 376 of the Penal Law - carries a maximum penalty of seven years imprisonment. The two key elements are forcing a person to work, whether for remuneration or not; and forcing a person by means of force, other means of pressure or threat of these, or by obtaining his/her agreement by means of fraud.

(5) Causing a person to leave his country for purposes of

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prostitution or slavery - Section 376B of the Penal Law - carries a maximum penalty of ten years imprisonment. The two key elements of this crime are: causing a person to leave the country in which the victim resides; and, in order to engage the victim in prostitution, holding the victim under conditions of slavery.

Additional provisions in the Anti-Trafficking Law include minimum sentences, forfeiture provisions, a special fund for fines and forfeited property in trafficking cases, compensation for victims, legal aid, obligation to report crimes, testimony not in the presence of the accused, money laundering, and foreign forfeiture orders.

-- Minimum sentences obligates the courts, as a rule, to mete out a minimum sentence for all trafficking and slavery crimes, which the GOI defined as one fourth of the maximum sentence with the requirement that the entire sentence not be suspended.

-- Forfeiture provision obligate courts to order forfeiture of assets connected to trafficking crimes, including profits accruing from such crimes, "upon the conviction of a person who has trafficked or enslaved another person."

-- The Special Fund (for fines and forfeited property of criminals convicted of trafficking and slavery crimes) is supposed to allocate money for the purposes of protection, prosecution and prevention of trafficking crimes, with at least 50% of the property in the Fund each year to be allotted to the rehabilitation and protection of trafficking victims. In addition, the Fund is supposed to reimburse trafficking victims (by means of a full or partial sum) who have received a judgment for compensation by traffickers (in criminal or civil proceedings) and "can establish that they have used all reasonable means to collect the compensation but have failed."

On February 9th 2009, the Minister of Justice signed Regulations regarding the operation of this Fund that were previously approved by the Constitution, Law and Justice Committee of the Knesset on January 26th 2009. The regulations are entitled Penal Regulations (Means of Managing the Special Fund Dealing with Forfeited Property and Fines Imposed in Cases of Trafficking in Persons and Holding under Conditions of Slavery), 5769-2009. The GOI reported that with the publishing of these regulations, it will be possible to appoint a committee to distribute forfeited property and fines to victims, NGOs and government agencies in order to further rehabilitation programs for victims, enforcement and prevention activities, and that it will be possible for victims who were unable to collect compensation awarded by courts by reasonable means, to receive these sums (whether partially or in full) from the Fund.

-- Regarding compensation for victims, courts that do not award compensation to victims of trafficking or slavery in criminal proceedings must specify the reasons for their decisions.

-- The law mandates legal aid be provided to all victims of trafficking and slavery in civil suits arising from the crimes committed against them or suits arising from the Entry to Israel Law, 5712-1952. According to the GOI, the rendering of legal aid is calculated to allow victims to use their right to submit civil and administrative suits and make for a friendlier climate for civil claims. While victims of trafficking for prostitution had previously been granted this right on a permanent basis, the law had previously given only a temporary right to victims of trafficking for slavery or other purposes, but in November 2008 the Knesset passed Legal Aid Law (Amendment 9) granting a permanent right to

free legal aid to all victims of trafficking and slavery.

-- An obligation to report suspected trafficking offenses committed against minors or those who cannot care for themselves, is required of certain professionals (i.e. doctors, nurses, educational workers, social workers, employees of the social welfare services, police officers, psychologists, criminologists, paramedics, and staff members in shelters) who have a reasonable basis to believe that a trafficking offense has been committed at any time. These professionals are to report as soon as possible to a welfare worker or the Police, and violation of this obligation is considered a criminal offense. In addition, members of the general public are required to report if he/she has a reasonable basis to believe that such a crime has just been committed. Violation of this obligation is also a criminal offense.

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-- Regarding testimony not in the presence of the accused, a victim of trafficking for the purposes of prostitution, pornography, or commission of a sexual offense may testify without the presence of the accused, provided that "certain procedural safeguards are observed."

-- The law makes trafficking, slavery, forced labor, and the withholding of passports crimes under the Prohibition on Money Laundering Law 5760-2000.

-- The law authorizes the courts to enforce foreign forfeiture orders regarding property of traffickers and enslavers in Israel in the framework of mutual legal assistance between nations.

A complete explanation of the GOI's perspective on their law in comparison to U.S. law can be found beginning on page of 58 of their response.

A new system for the employment of foreign workers in the nursing care field was initiated in 2008. As described in previous Tel Aviv TIP reports, following the court decision in HCJ 4542/02 Kav LaOved-Workers Hotline et al v. the State of Israel that required the Government to find new methods of employment of foreign workers that would not "chain" the worker to one employer, an inter-ministerial committee designed a new method for employing foreign caregivers. The GOI reported that implementation of this new system was delayed due to six appeals to the High Court of Justice against the new system filed by recruitment agencies and handicapped employers. After many months of deliberations, the Court approved the new method, and applications from newly established recruitment agencies under the new procedure were accepted and examined. On August 31, 2008, the licenses and permits of all the former private recruitment agencies specializing in recruitment of foreign workers for the nursing care field were canceled, and new licenses and permits under the new system of employment of foreign caregivers were granted on September 1, 2008. The GOI reported that these licenses were granted exclusively to newly formed recruitment agencies whose eligibility had been carefully examined under the new procedures requiring them to assume certain responsibilities for the recruited workers and their employers after the arrival of the workers in the country. The GOI reported that due to the new and more stringent requirements for such permits, approximately 140 such agencies received licenses, and 32 applications for licenses and permits were denied. The various elements of the new system were being implemented by Population, Immigration and Border Authority on a gradual basis. The GOI stated that it hoped that this system will limit the previously described "flying visa" phenomenon - where unscrupulous recruiters collected large fees from foreign workers who arrived in Israel to find that the promised job did not exist - by allowing workers who legally entered the country to find alternate employment if they lose their first place of employment, and will also allow increased supervision of recruitment agencies and employers. However, MITL reported that due to complaints received from severely handicapped individuals claiming that such administrative sanctions could cause them great harm and should be used sparingly, it decided that decisions to cancel permits of severely handicapped employers of foreign workers should first be reviewed by a committee headed by a retired judge,

rather than decided upon by one individual. NGOs vigorously protested the MITL decision, and pointed out that at the time of this report the committee had yet to meet and no licenses of abusive employers had been revoked since the new system came into place.

The Witness Protection Law 5769 - 2008 was entered into force on November 16, 2008. The law is designed to allow for enhanced protection of witnesses who fall into particular criteria, some of which include trafficking cases.

In addition, in June and July 2008, Israel ratified the two major international treaties on trafficking:  
The Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography;  
and The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

A3. Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes (e.g., civil forfeiture laws and laws against illegal debt).

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Conveying a Person Beyond the Boundaries of a State (Section 370 of the Penal Law) prohibits conveying a person beyond the boundaries of the state in which he resides. The maximum sentence is 10 years imprisonment.

Withholding of Passport (Section 376A of the Penal Law) penalizes "anyone who withholds, unlawfully, a passport, travel document or identity document of another person." The maximum sentence was increased to three year's imprisonment (compared to the former maximum sentence of one year imprisonment) and added a more severe five year sentence for withholding of a passport under aggravating circumstances, i.e. if the crime was committed in order to achieve one of the purposes enumerated in the trafficking crime (including slavery and forced labor.)

Exploitation of Vulnerable Populations - (Section 431 of the Penal Law): Heightened Maximum Sentence - penalizes those who "exploit the distress, the bodily or mental weakness, the lack of experience or recklessness of a person in order to demand or receive something which is not owing or to demand or receive something at a price which is unreasonably higher than the norm or to pay a price unreasonably lower than the norm for a product or service." This section existed in the Penal Law before the enactment of the Law, but its maximum sentence was increased from one year imprisonment to a maximum sentence of three years "in order to reflect the severity of exploitation encountered today, and in particular in the realm of foreign workers. It should be noted, that this section has been used in the past to indict persons who exploited foreign workers."

-- The Employment Service Law (Amendment no. 14) 5719-1959 criminalizes the collection of illegal recruitment fees from foreign workers, above the maximum permitted fee, and makes this crime punishable by up to six months imprisonment and a fine of up to NIS 202,000 (\$50,500). The amendment also makes the collection of fees an origin offense according to the Prohibition on Money Laundering Law.

-- The Employment Service Regulations (Recruitment Fees) 5766-2006 limit the permitted recruitment fee to be collected from a foreign worker by an Israeli recruitment agency to NIS 3,135 (app. \$783, roughly 88% of the monthly minimum wage) minus any sum paid by the worker to a foreign recruitment agency. The agency may also collect from the foreign worker the cost of air fare from the source country to Israel. The Regulations also state the terms under which it is permitted to collect the fee (e.g. a detailed contract between the agency and the worker). In addition, according to the Regulations, a recruitment agency shall reimburse payments collected from a foreign worker under certain circumstances.

-- The Employment Service (Provisions of Information) Regulations, 5766-2006 require recruitment agencies to provide foreign workers

with all the information relating to their rights and obligations as foreign workers in Israel (e.g. permitted fees' rates, etc.).

-- The Law Limiting Use of Premises in order to Prevent the Commission of Crime 5765-2005 authorizes the Police and Courts to limit the use of premises, or to close them, if they have served for the purpose of prostitution offenses or trafficking for the purpose of prostitution, if they are convinced that said premises will continue to serve these purposes. Courts have the authority to issue such orders for periods of 90 days, with the possibility of extension. Police may issue such orders for a period of 30 days during which they may request the court to rule.

-- The Battle against Organized Crime Law 5763-2003 created separate criminal offenses for activity in organized crime groups and states that if another crime is committed in the context of organized crime, its maximum punishment is double the punishment of that crime, but may not exceed 25 years of imprisonment.

-- The Prevention of Infiltration (Offenses and Jurisdiction) Law 5714-1954-Section 6 imposes a penalty of up to five years imprisonment for assisting in the smuggling of persons through Israel's borders or providing aid to facilitate their illegal stay in Israel.

-- The Tort Ordinance (New Version), 5729-1968 sets forth torts which trafficking victims may claim, such as assault (Section 23) and imprisonment (Section 26).

-- The Contracts Law (Remedies for Breach of Contract), 5731-1970

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and the Unjust Enrichment Law, 5739-1979 allow remedies for breach of contract and unjust enrichment, which may be relevant for trafficking victims.

-- Labor laws may be invoked in order to sue traffickers, such as the Protection of Salary Law, 5718-1958 and the Foreign Workers Law.

A4. Does the law(s) cover both internal and transnational forms of trafficking?

Israeli courts may exercise extraterritorial jurisdiction over these crimes when they are committed by Israeli citizens in other countries, even if they do not constitute crimes in these countries (no double criminality requirement). The GOI responded that the trafficking law can be invoked against internal trafficking, as can "holding under conditions of slavery", "forced labor" and "abduction for the purposes of trafficking". Crimes that typically take place transnationally and can be invoked transnationally are trafficking and causing a person to leave his/her country for purposes of prostitution or slavery, according to the GOI, which added that crimes such as holding under conditions of slavery, forced labor, and abduction for the purposes of trafficking can also be invoked transnationally "if the circumstances accord with Israel's laws on jurisdiction."

A5. If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force, fraud, or coercion?

See laws described in previous paragraphs.

A6. Are these other laws being used in trafficking cases?

See response to paragraph 4 section E.

1B. Punishment of Sex Trafficking Offenses: What are the prescribed and imposed penalties for trafficking people for sexual exploitation?

According to the GOI, Section 377A(a) of the Penal Law "promulgates a broad trafficking crime" for a number of illegal purposes: prostitution, sexual crimes, slavery or forced labor, removal of organs, pornography, and using the body of a person to give birth to

a baby who is then taken from her. The penalty for the crime is 16 years of imprisonment and 20 years of imprisonment if the crime is committed against a minor. The GOI added that it was noteworthy that this crime does not require the element of use of force, pressure or fraud, thus allowing conviction even if the trafficking was not committed by such means, and "consent" of the victim to being trafficked was irrelevant.

Isha L'Isha complained that the section authorizing a confiscation fund for sex trafficking is so limited, and police record keeping so spotty, that Israeli women and internal trafficking victims will not be able to use the fund, which to the best of our knowledge has yet to be activated. Isha L'Isha said it was not aware of any penalties imposed for sex trafficking in 2008.

Hotline complained that there were no new convictions in 2008, and noted that traffickers filed appeals against convictions from previous years. Hotline suggested that an issue relating to enforcement is the question of which body is responsible for this area. Noting that enforcement relating to trafficking in women for the purpose of prostitution is the responsibility of the district units, but that enforcement relating to trafficking for the purpose of slavery and forced labor is the responsibility of the Immigration Authority, Hotline questioned this division at numerous meetings with GOI officials and emphasized the need for cooperation between the different units.

C1. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor?

According to Section 377A of the Penal Law, trafficking in persons carries a maximum sentence of 16 years imprisonment, or 20 years imprisonment if the offense is committed against a minor. Section 375A - holding a person under conditions of slavery - carries a maximum sentence of 16 years of incarceration. Section 374A - Abduction for Purposes of Trafficking in Persons - carries a maximum

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sentence of 20 years of imprisonment. Section 376 - forced labor - 7 years of incarceration. Section 376B - Causing a person to leave his/her country for the purposes of prostitution or slavery - carries a maximum sentence of 10 years of incarceration.

The Law for the Prevention of Infiltration (Offenses and Jurisdiction) - Section 6 of the Law, carries a maximum sentence of five years' imprisonment for assisting the smuggling of persons through Israel's borders or assisting their illegal stay in Israel. Employers may be prosecuted for violations of the labor laws, including the Foreign Workers Law. Criminal offenses under this law include the following:

- Employment of a foreign worker without providing him/her with a detailed contract;
- Employment of a foreign worker without provision of medical insurance;
- Employment of a foreign worker without providing proper lodging;
- Employment of a foreign worker without providing a detailed pay-slip, or unlawfully deducting sums from his/her wages;
- Employment of a foreign worker without holding the documentation pertaining to the above obligations, as well as a listing of hours of work, at the workplace or the offices of the employer; and
- Illegal employment of a foreign worker, i.e. - employment of a foreign worker by an employer who does not have a permit to do so, or employment of a foreign worker in violation of the conditions of his/her visa.

Under the Foreign Workers Law, the administrative fines imposed vary according to the violation committed. The GOI reported that the relevant regulations were revised in 2008 to raise the fines imposed on manpower companies and recruitment agencies for offenses under the Law, and to lighten the fines imposed on individuals for first offenses of a technical nature. The maximum administrative fine for a violation carried out by manpower companies and recruitment agencies is now NIS 10,000 (\$2,500) for each original offense, and NIS 20,000 (\$5,000) for each repeated offense. The maximum



administrative fine for a violation is NIS 5,000 (\$1,250) for each original offense, and NIS 10,000 (\$2,500) for each repeated offense. An additional fine of NIS 500 (\$125) for each day the violation continues can also be imposed.

A maximum criminal penalty of NIS 52,200 (\$13,050) per employee per offense can be imposed upon the employer by a court of law, and when the violation occurs in a business framework, the maximum criminal penalty for each offense is NIS 104,400 (\$26,100) or one year imprisonment. An additional penalty of NIS 5,200 (\$1,300) for each day the violation continues can also be imposed.

C2. If your country is a source country for labor migrants, do the government's laws provide for criminal punishment -- i.e. jail time -- for labor recruiters who engage in recruitment of workers using knowingly fraudulent or deceptive offers with the purpose of subjecting workers to trafficking in the destination country?

N/A

C3. If your country is a destination for labor migrants, are there laws punishing employers or labor agents who confiscate workers' passports or travel documents for the purpose of trafficking, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service?

Yes. According to the Israeli Penal Law, if a labor recruiter knew that the sums were collected from the foreign worker for the purpose of trafficking, or if he knew that he was endangering a person into being trafficked by so doing, he may be considered an accomplice to a trafficking offense and thus liable to 16 years of imprisonment or eight years if his/her role is only that of an aider and abettor of such an offense. In addition, Section 376B may be invoked, which carries ten years of imprisonment for causing a person to leave a state for purposes of prostitution or slavery.

Furthermore, according to Section 374A, he/she may be found guilty of abduction for purposes of trafficking in persons, and thus liable to 20 years imprisonment. (According to Section 369 of the Penal Law, abduction includes inducing a person to move from the place in which he is presently, by fraudulent means.) For all of these offenses, the perpetrator must intend that his/her actions are for the purposes detailed in each criminal section. A person who

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recruits a worker deceitfully with no knowledge that he/she may be trafficked or engaged in prostitution or slavery cannot be indicted.

According to Section 7 of the Penal Law, these violations may be considered domestic rather than extraterritorial offense because the they were at least partially committed in Israel, which is where the victim arrives to be enslaved or prostituted.

The maximum sentence for withholding a passport is three years imprisonment, and if aggravating circumstances are present, i.e. if the passport is detained for one of the purposes of trafficking, the maximum sentence is five years imprisonment (Section 376A of the Penal Law.) In addition, Section 431 of the Penal Law relating to exploitation provides three years imprisonment for taking advantage of the "distress, physical or mental weakness, inexperience or carelessness of another person." Other relevant penal provisions include: blackmailing by means of threats (Section 428 of the Penal Law) with a maximum punishment of seven years imprisonment, and nine years if the blackmailed party actually did what the blackmailer wanted him to do); fraud (Section 415 of the Penal Law) with a maximum punishment of five years imprisonment; threat (Section 192 of the Penal Law) with a maximum punishment of three years imprisonment; taking property for the purpose of blackmail (Section 430 of the Penal Law) with a maximum punishment of one year imprisonment; and trickery (Section 416 of the Penal Law) with a maximum punishment of two years imprisonment. These actions could also be viewed as circumstantial evidence on which can be based a trafficking, slavery or forced labor offense.

However, Kav LaOved responded that while the maximum penalty for passport confiscation is five years imprisonment, the penalties imposed on offenders are lenient. Kav LaOved reported that to the best of their knowledge, there has not been "even a sole case" in which a perpetrator was imprisoned for passport confiscation, and added that not one was even sentenced to community service. Furthermore, according to Kav LaOved, under a court ruling of December 25, 2008 (C (Beer Sheva) 4688/06 State of Israel v. Reuven Golan), if a victim surrenders his/her passport to the perpetrator "voluntarily" and without protest, it is not an offense to withhold their passport. Kav LaOved stated that they believe this ruling to be at odds with the law's language and purpose, and requested that the State file an appeal.

1D. What are the prescribed penalties for rape or forcible sexual assault? (NOTE: This is necessary to evaluate a foreign government's compliance with TVPA Minimum Standard 2, which reads: "For the knowing commission of any act of sex trafficking . . . the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault (rape)." END NOTE)

Rape: 16 years; rape under aggravated circumstances: 20 years (Section 345 of the Penal Law). According to Article 345(a) of the Penal Law, if a person had intercourse with a woman (introduces any part of the body, or any object into the woman's sex organ) - (1) without her freely given consent; (2) with the woman's consent, which was obtained by deceit in respect of the identity of the person and the nature of the act; (3) when the woman is a minor below age 14, even with her consent; (4) by exploiting the woman's state of unconsciousness or other condition that prevents her from giving her free consent; (5) by exploiting the fact that she is mentally ill or deficient, if because of her illness or mental deficiency her consent to intercourse did not constitute free consent - then he committed rape and is liable to sixteen years imprisonment.

Intercourse with a minor: Having intercourse with a minor who has reached age 14 but has not yet reached age 16, and who is not married to the offender, or with a minor who has reached age 16 but has not yet reached age 18, by exploiting a relationship of dependence, authority, education, or supervision, or by a false promise of marriage, carries a penalty of five years (Section 346(a) of the Penal Law).

Forbidden intercourse with consent (with a woman aged over 18, by exploiting the offender's authority at the workplace or service, or by false promises of marriage, while pretending to be single) carries a penalty of three years (Section 346(b) of the Penal Law).

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Sodomy - where the victim is aged over 14 but under 18 - carries a penalty of five years (Section 347(a) of the Penal Law).

Sodomy - where the victim has reached age 18, by exploiting the offender's authority at the workplace or service - carries a penalty of three years (Section 347(b)).

Sodomy - under circumstances detailed in the Section on rape - carries the penalties of a rapist (Section 347(c) of the Penal Law).

Indecent acts carries penalties that range from 3-10 years, depending on the circumstances (Section 348 of the Penal Law).

Indecent acts in public carry penalties that range from 1-3 years imprisonment, depending on the circumstances. (Section 349)

Sexual offenses within the family incur heavier penalties. For example, rape or sodomy may incur a penalty of 20 years if the victim is a minor and a relative of the offender (Section 351 of the Penal Law).

E1. Law Enforcement Statistics: Did the government prosecute any

cases against human trafficking offenders during the reporting period?

Yes.

E2. If so, provide numbers of investigations, prosecutions, convictions, and sentences imposed, including details on plea bargains and fines, if relevant and available.

#### SEX TRAFFICKING

The GOI reported that in 2008, the police conducted nine criminal investigations on trafficking in persons for the purpose of engaging them in prostitution, resulting in the arrest of nine individuals. Six indictments were filed in 2008 for these offenses, in addition to 12 ongoing cases pending before the courts. The State Attorney's Office convicted five persons in 2008 for trafficking for the purpose of prostitution "and/or related offenses." Another seven appeals were submitted to the Supreme Court by defendants convicted of trafficking in persons for the purpose of prostitution, and/or related offenses (several of which appealed against their conviction). These appeals are pending before the Supreme Court. The sentences appealed vary from six months to 13 years of imprisonment, in addition to compensation to victims, depending on the severity of the offenses. An appeal submitted by the State against a lenient sentence is also pending before the Supreme Court.

The GOI also reported that during 2008 the Supreme Court dismissed 11 appeals submitted by defendants against the severity of their sentence (ranging from 1.5 to 18 years, plus in some case additional compensation to the victims) and several defendants who appealed the conviction itself. During 2008, the Supreme Court also dismissed four appeals submitted by the State contesting the leniency of sentences imposed for trafficking and/or related offenses, which ranged from 6 to 12 years of imprisonment and additional compensation to the victims. In one case the State appealed the partial acquittal of one of the defendants.

In addition, the GOI reported that the Police opened three cases in 2008 based on Section 374 of the Penal Law - Abduction for Purposes of Trafficking in Persons. According to the GOI, two of these cases were still being investigated at the time of this report, and the third case was under review by the State Attorney's Office.

Individual cases are detailed beginning on page 72 of the GOI response.

In its response, the GOI said that the number of trafficking cases handled by the Tel Aviv District Attorney's Office decreased significantly, from 100 active cases in 2007 to less than 20 during this reporting period, and that this decrease was the result of a decrease in the number of trafficking for prostitution victims due to "determined enforcement." The GOI noted that most of the cases in 2008 referred to trafficking that took place in previous years. The Police and State Attorney give priority to the prosecution of trafficking for the purpose of prostitution, according to the GOI, which said in its response that the courts have "espoused broad

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principles of interpretation which allow the conviction of all links in the chain of trafficking." The GOI added that while sentencing is "not uniform" it is "increasingly severe, including cases where traffickers were sentenced to periods of incarceration of 18 and 15 years" and that emphasis was given to the issue of compensation to victims of trafficking.

#### LABOR TRAFFICKING

In November 2008, the GOI filed the first indictment for forced labor under the trafficking law as amended (to include labor trafficking) in October 2006. The GOI reported that at the time of this report, four more indictments were in advanced stages of review in the Central and Southern District State Attorney's Office at the time of this report, and several more cases were under review by the Crime Unit of the Immigration Administration. The GOI said that

these investigations were complicated and that it was particularly hard to prove the causal connection between the coercion and the worker's continuing to work "in view of the heavy debts foreign workers incur, which in itself lead them to be willing to work under difficult conditions" and that under these circumstances it was "doubly hard to prove the case beyond reasonable doubt, as is required in criminal cases."

In 2008, indictments were filed in 46 cases of fraud and another 37 indictments were filed for fraud against the State and indirect fraud of a foreign worker, eight indictments were filed in cases of exploitation of vulnerable populations against foreign workers, and 11 indictments were filed for withholding of a foreign workers' passport. Criminal judgments the GOI deemed important are detailed beginning on page 79 of the GOI response, and a number of structural changes intended to improve investigations and prosecutions are explained beginning on page 81 of the GOI response.

The Crime Unit in the Immigration Administration, working with the State Attorney's Office, opened 24 investigation cases concerning forced labor, and filed one indictment in November. The GOI reported that four additional indictments were under various stages of preparation and review by the State Attorney's Office at the time of this report.

During 2008, the Crime Unit in the Immigration Administration, the Crime Unit opened 450 investigation cases regarding different aspects of fraud against foreign workers, including 48 cases of withholding passports, 16 cases of exploitation of vulnerable populations, and 24 cases of forced labor. Tables listing all the completed cases (12 in the reporting period) and pending indictments (5) during the reporting period are annexed (Annexes 3, 4) in the GOI response.

Kav LaOved reported that there are severe problems with law enforcement in the area of trafficking for labor, slavery and forced labor. According to Kav LaOved, while the prohibition of trafficking for these purposes of labor was first introduced in 2006 with the enactment of Israel's comprehensive anti-trafficking law, law enforcement agencies - particularly the "general" police and the immigration police - continue to demonstrate lack of awareness to these phenomena, resulting in "very poor investigation efforts and a complete disregard for victims." Kav LaOved gave as an example a complaint filed by a slavery victim from India that has been investigated for nearly two years, with no result. The complaint was originally filed with the Tiberius police in March 2007, but Kav LaOved charged that the police did not conduct any investigation or even attempt to collect evidence beyond the victim's statement. Kav LaOved claimed that after months of waiting and "futile" attempts by Kav LaOved to obtain information on this matter, the police station confirmed that they indeed did not investigate this case further, and that the suspects had not even been questioned. After Kav LaOved filed a complaint with the Ministry of Justice, the investigation was transferred to the Immigration Police in Haifa, according to Kav LaOved. Kav LaOved stated that it was difficult to see how an indictment can be successfully pursued under these circumstances, given the time that had passed since the crimes were committed. Kav LaOved also criticized what they called a "disturbing phenomenon" of "the slow course of action taken by the police when a victim manages to contact the outside world while still in the perpetrator's home, and what appears to us as a lack of a much warranted sense of urgency" even when Kav LaOved brought the situation to the attention of the authorities.

Kav LaOved complained that no indictments were filed during 2008 (or

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previous years) for charging brokerage fees above legal limit. Also, the decision of the Supreme Court of March 30, 2006 that found the "binding arrangement" of migrant workers to their employers unconstitutional has not been implemented so far, according to Kav LaOved. The result, in the words of Kav LaOved, is that a foreign worker who leaves an employer (including for reason of dangerous working conditions) faces the risk of losing his legal status, especially if they have already worked in Israel for a period of longer than 51 months.

Hotline complained that more than two years after the enactment of the amendments to the trafficking law that criminalized labor trafficking, not a single indictment has yet been served on trafficking for the purpose of slavery. Hotline said that cases they forward for the attention of the authorities are investigated slowly and negligently, and in most cases are closed. Hotline reported that of the 11 suspected cases of trafficking for forced labor that they referred to the Immigration Authority during the reporting period, three had been closed, in five cases the authorities decided not to open an investigation (for trafficking), and two were still being investigated. A detailed examination of the cases and Hotline's concerns regarding this issue can be found beginning on page 19 of the Hotline response.

E3. Please note the number of convicted traffickers who received suspended sentences and the number who received only a fine as punishment.

No such statistical breakdown provided. Beginning on page 176 of the GOI response, annexes show results of individual cases, a number of which included suspended sentences.

E4. Please indicate which laws were used to investigate, prosecute, convict, and sentence traffickers.

See previous answers.

E5. Also, if possible, please disaggregate numbers of cases by type of TIP (labor vs. commercial sexual exploitation) and victims (children under 18 years of age vs. adults).

No such statistical breakdown provided.

E6. If in a labor source country, did the government criminally prosecute labor recruiters who recruit workers using knowingly fraudulent or deceptive offers or by imposing fees or commissions for the purpose of subjecting the worker to debt bondage?

N/A

E7. Did the government in a labor destination country criminally prosecute employers or labor agents who confiscate workers' passports/travel documents for the purpose of trafficking, switch contracts or terms of employment without the worker's consent to keep workers in a state of service, use physical or sexual abuse or the threat of such abuse to keep workers in a state of service, or withhold payment of salaries as a means to keep workers in a state of service?

Yes. See previous answers. Media coverage followed some cases. For example, on December 22 the press reported that a suit for compensation had been filed at the labor court by the Ministry of Justice's legal aid system on behalf of a victim of slavery. The suit was filed against the victim's employer, a resident of East Jerusalem. According to the report, the victim was brought to Israel by her employer to work in his home seven days a week, 17 hours a day, and was reportedly imprisoned in the house, subjected to threats, and did not receive medical attention she required. She escaped and filed a complaint.

E8. What were the actual punishments imposed on persons convicted of these offenses?

See annexes beginning on page 176 of the GOI response.

E9. Are the traffickers serving the time sentenced? If not, why not?

The GOI replied yes, "to the best of our knowledge, except those who fled justice."

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F1. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute

instances of trafficking?

Yes, the GOI provided many forms of training on sex and labor trafficking to a wide variety of government agencies. Numerous examples, including a seminar for prosecutors, courses at police training schools, seminars at the Immigration Authority on subjects like the right to dignity, five days of training on trafficking for Crime Unit investigators and prosecutors, training for the judges in the Tribunal for Detention Review, and various sessions directed by the National Coordinator, are provided beginning on page 86 of the GOI response. Guidelines on identification of victims were created and disseminated.

In its reply, Isha L'Isha said that the state showed more interest in arranging lectures and workshops than in identifying victims of sex trafficking.

F2. Specify whether NGOs, international organizations, and/or the USG provide specialized training for host government officials.

NGOs and UGS visitors participated in seminars and consulted on training, but the GOI did not report any specialized training in trafficking matters that was provided by NGOs, international organizations, and/or the USG. Amnesty International Israel reported that it provided education ("meant to inform, give tools, change attitudes and arouse responsibility") to security forces with the support of a State Department grant.

G1. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases?

The GOI reported that Israeli police cooperated with its colleagues from Former Soviet Union countries and Western Europe in international investigations of trafficking cases, focusing on Israeli felons abroad. The Israeli Police also cooperated in assisting investigations abroad related to Israel, according to the GOI, which said that these investigations often resulted in the extradition of suspects for crimes committed in Israel. The GOI reported that it maintained close cooperation with other governments in cases requiring extradition and legal assistance.

Isha L'Isha praised the Tel-Aviv police for proving "again and again its vigor and initiative" in investigating sex trafficking, and noted that the unit collaborated with Russia and Ukraine on some cases.

Hotline was less sanguine about efforts to combat labor trafficking.

It reported that on January 21, 2009, the Knesset Committee for Migrant Workers "blasted" the Cabinet for failing to regulate the entry of foreign workers into Israel. Hotline quoted the Committee head, Ran Cohen, as saying "Foreign workers are being imported in the most corrupt way imaginable. Millions, perhaps billions reach the black market in an illegal, immoral trade that blackens Israel in the world." Hotline argued that over the past three years, the Cabinet has repeatedly decided to bring in migrant workers via the International Organization for Migration, but that its decisions have not been implemented, leaving the job to middlemen who charge each worker \$5,000 to \$20,000.

G2. If possible, provide the number of cooperative international investigations on trafficking during the reporting period.

The GOI reported that four international trafficking in person's investigations in 2008 led to the arrest of suspects and the locating of trafficking victims. It did not provide a larger numerical survey on such investigations, but examples of cooperation are provided beginning on page 89 of the GOI response.

1H. Does the government extradite persons who are charged with trafficking in other countries? If so, please provide the number of traffickers extradited during the reporting period, and the number of trafficking extraditions pending. In particular, please report on any pending or concluded extraditions of trafficking offenders to the United States.

The GOI reported that according to Israel's Extradition Law 5714-1954, the State may extradite Israeli nationals charged with any offense where the maximum sentence is one year or more. No

numerical breakdown or cases of extradition to the United States

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were reported, but examples are provided on pages 90 and 91 of the GOI response.

11. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

The GOI replied that Israeli government authorities unequivocally condemn all forms of trafficking, do not facilitate or condone trafficking, are not in any way complicit in these activities, and the Israeli Police and its agents vigorously combat the trafficking phenomenon.

Isha L'Isha reported that it saw no involvement in or tolerance of trafficking by government officials.

Kav LaOved complained about what it called a tolerance of trafficking "evident by the disregard for phenomena that facilitate the conditions for trafficking" but said that it was unaware of any direct government involvement in trafficking.

Hotline stated that it had no information of any government involvement in trafficking, but reiterated complaints of what it considered the Government's lack of action, and suggested that reflected a tolerance of trafficking.

J1. If government officials are involved in trafficking, what steps has the government taken to end such participation?

The only relevant example we are aware is an old case that was detailed in a January 15, 2009 Haaretz article about a policeman who had been charged several years prior with nine different bribe indictments, but had all charges dropped in December 2008. The policeman, Iliya Strashnoy, had been arrested in 2000 after the Police Investigation Unit at the Ministry of Justice acquired evidence according to which Strashnoy collected thousands of USD from pimps and in return "sold" the pimps trafficked women who were arrested in brothels. In December 2006, the Public Attorney informed the court that their main witness disappeared, and on December 2008, after no success in locating him, he removed the indictments. According to the article, Strashnoy submitted a request to rejoin the police force and his request is being considered.

J2. Please indicate the number of government officials investigated and prosecuted for involvement in trafficking or trafficking-related corruption during the reporting period.

Some cases of abuse of foreign workers were investigated, but no new cases of corruption were reported. Details of the abuses cases can be found beginning on page 93 of the GOI response.

J3. Have any been convicted?

An indictment filed on March, 5, 2007 against a police officer and another 11 persons involved in a case of corruption, bribery, gambling and prostitution. One defendant, an Immigration Administration officer who served on the relevant dates as a detective in the Ben-Gurion Airport, was accused of using his status and his authority as a police officer to commit serious criminal offenses. On November 16, 2008, the defendant was convicted, among other offenses, of owning a brothel, owning a place for the purpose of gambling, bribe, conspiracy to commit a crime. He was sentenced to 4.5 years imprisonment and 18 month conditional imprisonment.

J5. Please specify if officials received suspended sentences, or were given a fine, fired, or reassigned to another position within the government as punishment.

N/A

J6. Please indicate the number of convicted officials that received suspended sentences or received only a fine as punishment.



N/A

K1. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized?

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Prostitution is not considered legal and is not regulated. The activities of prostitutes and clients are not criminalized, but the activities of pimps, brothel owners/operators, and enforcers are criminalized, including crimes such as pandering for purpose of prostitution, causing a person to engage in one or more acts of prostitution, maintaining a place for the purpose of prostitution, renting out premises for prostitution, purchasing the prostitution services of minors, and publicizing the prostitution services of minors.

K2. Are these laws enforced?

Yes, although various sources disagreed on the level of vigor in the enforcement. According to the GOI, "these laws are enforced when relevant."

K3. If prostitution is legal and regulated, what is the legal minimum age for this activity? Note that in countries with federalist systems, prostitution laws may be under state or local jurisdiction and may differ among jurisdictions.

N/A

1L. For countries that contribute troops to international peacekeeping efforts, please indicate whether the government vigorously investigated, prosecuted, convicted and sentenced nationals of the country deployed abroad as part of a peacekeeping or other similar mission who engaged in or facilitated severe forms of trafficking or who exploited victims of such trafficking.

N/A

M1. If the country has an identified problem of child sex tourists coming to the country, what are the countries of origin for sex tourists?

There are no reports of child sex tourists coming to Israel.

M2. How many foreign pedophiles did the government prosecute or deport/extradite to their country of origin?

None reported.

M3. If your host country's nationals are perpetrators of child sex tourism, do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act) to allow the prosecution of suspected sex tourists for crimes committed abroad? If so, how many of the country's nationals were prosecuted and/or convicted during the reporting period under the extraterritorial provision(s) for traveling to other countries to engage in child sex tourism?

Sections 203C of the Penal Law criminalize purchase of prostitution services of a minor and Section 15(b) of the Penal Law allows extraterritorial coverage of "offenses of prostitution and obscenity performed against a minor or in relation to a minor regardless of the place of the commission of the offense, provided it was performed by an Israeli citizen." The police reported no cases in 2008 relating to section 203C.

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15. PROTECTION AND ASSISTANCE TO VICTIMS  
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A1. What kind of protection is the government able under existing law to provide for victims and witnesses?

In 2007, the Prime Minister approved two inter-ministerial plans, the first for the treatment of sexual assault victims, and the second for the rehabilitation and treatment of women and girls engaged in prostitution in order to assist them in breaking from the cycle of prostitution. The GOI reported that each allocated with NIS 10 million (\$2,500,000) and were initiated during 2008. Details of the plan can be found beginning on page 173 of the GOI response.

A2. Does it provide these protections in practice?

Isha L'Isha reported that there is no witness protection program in Israel and therefore there is "not necessarily" protection for women who give evidence in trafficking cases.

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Kav LaOved noted that while the Ministry of the Interior's procedures published in July 2008 (for issuing work permits to victims of trafficking for slavery and forced labor authorized work permits to be given to eligible victims for a period one year) represents progress, certain provisions in the new procedure "raise concern." According to Kav LaOved, the list of requirements and documents the victim needs to submit need the support on an NGO, which the victim might not have access to or even be aware of. The procedure also requires the victim to declare if any family members are residing in Israel. Kav LaOved called this information "completely irrelevant" and voiced concern that it would "undoubtedly deter victims from applying for work permits, given that Israeli law prohibits migrant workers' first-degree family members from residing in Israel." Kav LaOved also complained that the procedure requires translations the victims often cannot afford, and stipulates that any extension of the "insufficient" one-year work permit will be granted in "exceptional" cases only.

Kav LaOved reported that the Ministry of Interior's understanding of who may be recognized as an eligible trafficking victim is "extremely narrow." They gave the example of an individual they described as a slavery victim from Indian caregiver who worked 7 days a week, 16 hours a day, could not refuse any type of work (housekeeping for an extended family along with her caregiver duties), was not permitted to leave the home, was paid well below the minimum wage, was sexually assaulted by both the employer and his brother, and threatened with deportation and even death if she complained to the authorities.

Kav LaOved filed a complaint with the police, and with MITL, who revoked the employer's permit. According to Kav LaOved, despite all these facts - the ongoing police investigation, the MITL findings on the basis of which the employer's permit was revoked, and "even threat letters sent to Kav LaOved's attorney from the perpetrators, demanding the organization will stop providing legal assistance to the victim" - the Ministry of the Interior initially decided to reject the victim's application for a work permit "due to the fact that there was still not a decisive statement by the authorities that she is a trafficking victim."

Hotline praised the idea behind the Ministry of Interior procedure (circulated July 1, 2008) for granting rehabilitation visas to victims of slavery and forced labor, but raised issues with the wording, process, and implementation. A lengthy analysis of their concerns can be found beginning on page 30 of Hotline's response.

B1. Does the country have victim care facilities (shelters or drop-in centers) which are accessible to trafficking victims?

The Maagan shelter in Tel Aviv, established in February 2004, provided shelter and services throughout the reporting period to victims of trafficking for prostitution.

According to Isha L'Isha, the shelter is reluctant to accept women with children and rejected all of the NGO's applications to accept trafficked women with children. Isha L'Isha reported that the shelter was under the supervision of the police, but complained that police have to get approval from the Ministry of Interior, which Isha L'Isha said rejects all applications, "especially if the woman

has children and doesn't testify." Isha L'Isha noted that the shelter for battered women is also reluctant to accept women with children. According to Isha L'Isha, the government provides assistance to women in the Maagan Shelter, but women outside the shelter "have no rights."

Hotline was critical of what it said was the Shelter's reluctance to take women with serious illnesses. Hotline also complained that authorities do not identify slavery victims, and that only victims that Hotline identifies and refer to the authorities receive some rights. Hotline was positive on the legal aid system, which it said depends on the victims' affidavits and Hotline's contacts and does not wait for a police decision to proceed. Hotline said that this was not the case with the Ministry of the Interior, however, and complained that until the Immigration Authority confirms that it has investigated the case and found a reasonable suspicion that the person was a trafficking victim, Interior will not grant rights. Hotline reported that in a petition it submitted on January 13, 2009 in the case of a trafficking victim from Nepal (whose story is presented in Hotline's Appendix A case B2(2)), it argued that the administrative authority must apply its own discretion and cannot rely solely on the determination of the investigative authority, and

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noted that the investigative authority must produce evidence that can convict a defendant in criminal proceedings beyond all reasonable doubt, while an administrative authority is not restricted to such evidence.

B2. Do foreign victims have the same access to care as domestic trafficking victims?

The facilities described in B1 are designated to serve foreign trafficking victims, rather than domestic trafficking victims. The GOI reported that it has not yet encountered Israeli victims who need such facilities.

B3. Where are child victims placed (e.g., in shelters, foster care, or juvenile justice detention centers)?

Israel does not have an identified child sex trafficking problem. Hotline reported that in the last two years, about 200 unaccompanied minors arrived in Israel through Egypt, with the majority arriving during the reporting period. Hotline noted that "only lately" had they started to suspect that some of them might have been trafficking victims. According to Hotline, 30 of the minors are still in prison "since no other place has been arranged for them outside of prison." Further details can be found beginning on page 6 of the Hotline response.

B4. Does the country have specialized care for adults in addition to children?

The staff of the Maagan Shelter includes a Director, three social workers, a housemother, seven counselors, a secretary, a maintenance manager, and a security officer. A physician visits twice weekly and a psychiatrist visits when necessary (both the physician and psychiatrist speak Russian), teachers provide enrichment sessions, and numerous volunteers provide a variety of services. The Director is a lawyer and a social worker and is well acquainted with the trafficking problem. Her role is to operate the shelter and coordinate with the women, the staff, the Police, the Courts, the Legal Aid lawyers, and foreign embassies and consulates of the women's countries of origin.

The GOI reported that the shelter operates according to the therapeutic community model, thus every intervention is performed with an overall holistic view to enable proper attention to be given to every aspect of the women's needs. The staff receives ongoing training on the treatment of victims of trafficking.

Sex trafficking victims have the right to free legal aid in order to institute civil suits arising from the trafficking offenses committed against them or administrative procedures relating to the Entry to Israel Law. They are also eligible for assistance with parenthood claims against Israeli partners. The GOI reported that

the aid is not contingent on economic criteria. According to Courts (Fees) Regulations 5767-2007, victims of trafficking and slavery given legal aid are exempt from paying court fees. Legal aid lawyers come to the shelter to interview the women and provide services.

During 2008, seven children resided in the shelter with their mothers. Four of the five children residing in the shelter at the time of this report were placed in educational programs outside the shelter.

Isha L'Isha reported that women received medical care if she was in the Maagan Shelter, but that victims not in the shelter received no medical care unless she paid for the insurance. In shelters for battered women there is no option of free medical care for foreign women, according to Isha L'Isha, which said that the Ministry of Health rejected all requests, even "severe humanitarian cases", and didn't permit medical treatment to be provided to women who were outside the shelter.

B5. Does the country have specialized care for male victims as well as female?

The GOI reported that it has not encountered any male victims of sex trafficking. Regarding male victims of labor trafficking, the Ministry of Social Affairs and Social Services committed funds in 2008 towards the operation of three facilities for victims of labor trafficking - a shelter for female trafficking victims, another shelter for male trafficking victims, and three short-term

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apartments for victims who do not require long term assistance. NGO Keshet, which developed the Maagan Shelter for female victims of sex trafficking, was chosen to run the new shelter. Keshet located a suitable location that will include different divisions for men and women, and was renovating the facility at the time of this report. Kav LaOved confirmed the GOI's description.

B6. Does the country have specialized facilities dedicated to helping victims of trafficking?

See answers in B1.

B7. Are these facilities operated by the government or by NGOs?

The Maagan shelter operates under the responsibility and supervision of the Ministry of Social Affairs and Social Services, and is run by the non-profit association Keshet. The shelter is financed by the Ministry of Social Affairs and Social Services as regards its rehabilitative function and by the Ministry of Public Security as regards security aspects (including guarding the shelter, providing protection for the women, and accompanying them to courts and the District Attorney's office.) A steering committee for the shelter decides on matters of policy and practice. The GOI reported that the same system will apply to the shelters for victims of trafficking for slavery and forced labor.

B8. What is the funding source of these facilities? Please estimate the amount the government spent (in U.S. dollar equivalent) on these specialized facilities dedicated to helping trafficking victims during the reporting period.

The budget of the shelter comes from the Ministry of Social Affairs and Social Services and the Ministry of Public Security, while the Ministry of Justice provides legal assistance and the Ministry of Health finances health services. In 2008, the Ministry of Social Affairs and Social Services allocated NIS 3,766,000 (\$911,500) for operating the shelter, the Ministry of Public Security allocated NIS 1,000,000 (\$250,000) for security, and the Ministry of Health allocated NIS 360,000 (\$90,000) for medical care.

C1. Does the government provide trafficking victims with access to legal, medical and psychological services? If so, please specify the kind of assistance provided.

See answers in B4 for description of services to victims of

trafficking for the purpose of prostitution. According to Kav LaOved, victims of labor trafficking and slavery are entitled to state funded legal assistance, but not victims of forced labor. Kav LaOved reported that no medical or psychological help is offered to victims of trafficking for labor, including victims of sexual crimes (other than prostitution) but there are plans to do so with the introduction of the shelters described in B5.

C2. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for providing these services to trafficking victims?

In conjunction with the Ministry of Justice, the International Organization for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR), additional Israeli governmental organizations, and Israeli NGOs, the Center of International Migration and Integration (CIMI) launched a comprehensive Migration Management Capacity Building Program in 2008. The two-year program (to be implemented during 2009 and 2010) is based on legislative and policy processes already underway and will provide training and awareness raising campaigns, bilateral exchanges, study-visits, and research to government officials working with migrant populations. Details on the program can be found beginning on page 112 of the GOI response.

The GOI signed an agreement with IOM and the Government of Thailand regarding the recruitment of Thai agricultural workers for work in Israel. This ongoing program is aimed at creating a climate unfriendly to trafficking, and to prevent the exploitation of workers by middlemen demanding high fees that leave the workers at the mercy of the manpower agencies and employers.

Details on safe returns can be found beginning on page 104 of the GOI response.

C3. Please explain and provide any funding amounts in U.S. dollar

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equivalent. If assistance provided was in-kind, please specify exact assistance.

No details provided.

C4. Please specify if funding for assistance comes from a federal budget or from regional or local governments.

No details provided.

D. Does the government assist foreign trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation? If so, please explain.

#### TRAFFICKING FOR THE PURPOSE OF PROSTITUTION

The GOI described the process as follows:

All trafficking victims in the Maagan Shelter receive temporary visas, plus work visas if they are in the process of testifying, or if they apply for humanitarian visas whether they choose to testify or not. Women who choose to testify receive a visa for the duration of the court proceedings (which on average takes a year.) After legal proceedings are concluded, the women are entitled to request a temporary visa for another year, as with victims who chose not to testify. The set period for these visas is one year, though in special circumstances the period may be longer or shorter. It is not a prerequisite that victims reside in the shelter in order to receive year long temporary visas.

The GOI reported that in 2008, five women received a B1 visa (stay and work) for six months; one woman received a B2 visa (stay only) for three months; five women received an extension of their visa following their testimony; three women received an inter-visa allowing its holder to leave the country and return within a designated time (without needing to re-apply), during their testimonies; 11 women received a one-year visa for humanitarian reasons; and two women received a visa for an additional year.

Isha L'Isha agreed that trafficked women received visas from the Ministry of Interior "under limited conditions", but complained that the Ministry of Interior didn't give permanent status to single foreign women with Israeli children. Isha L'Isha described these women as being under great distress due to their lack of status and subsequent lack of benefits from the National Insurance Institute, and called the situation "a closed circle in which the Ministry of Interior doesn't allow women to live in dignity and welfare."

#### TRAFFICKING FOR THE PURPOSE OF LABOR

On July 1, 2008, the Ministry of the Interior published a written procedure for granting visas to victims of slavery, trafficking for slavery and forced labor. The GOI reported that during 2008, the Ministry of the Interior granted three victims preliminary three month visas; nine victims received an extension of their visas; two victims received an "inter-visa"; two persons received a one-year visa for rehabilitation purposes, and one person received a visa for an additional year.

Foreign workers who filed complaints regarding criminal offenses are not generally arrested. According to the GOI, the Ministry of the Interior and the Immigration Administration try to place them in alternate employment during their stay for testimony, and they are released with a special document issued by the Immigration Administration - that need to be renewed monthly - indicating that they are witnesses in an ongoing investigation. Following the completion of their testimony, foreign workers are given what the GOI called a "reasonable period to arrange for their departure."

1E. Does the government provide longer-term shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives?

The GOI reported that women who are in the process of testifying or have been accorded visas for humanitarian reasons are entitled to a working visa. Maagan Shelter personnel find employment for women "who are ready and willing to work", according to the GOI, which said that most of these women work outside the shelter in restaurants, clothing stores, cosmetics firms, bakeries, and other fields. The GOI reported that as of December 2008, 20 women of the 25 women residing in the shelter were employed outside the shelter.

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The GOI reported that while Israel does have a shelter for victims of trafficking for prostitution and is in the final stages of establishing shelters for victims of trafficking for slavery and forced labor, it is the policy of the State of Israel that after completion of the rehabilitation period, and following a risk assessment, trafficking victims should return to their countries of origin.

1F. Does the government have a referral process to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care (either government or NGO-run)?

Kav LaOved reported that it was not aware of any such process.

Regarding sex trafficking, the GOI reported that according to the procedures initiated by the Immigration Administration in conjunction with the Ministry of the Interior and the Police, trafficking victims are immediately referred to the Maagan Shelter without having to pass through detention facilities. According to the GOI, every trafficking victim identified in 2008 was transferred to the Maagan Shelter unless she refused to go, or unless a court order to place them in a different location, mostly with Israeli partners.

Regarding labor trafficking, the GOI reported that foreign nationals who were detained went through several screening and monitoring procedures. When needed, the detainee receives medical treatment before being sent to a detention facility. The detainee is also interviewed by a police officer, and is entitled to a hearing before

a representative of the Ministry of the Interior, according to the GOI. NGOs representatives are also given access to detention facilities where they can assist foreign workers, and can be present at Tribunal hearings, with the foreign worker's approval. Six female labor trafficking victims were transferred to the Maagan shelter in 2008.

Isha L'Isha reported that the police contacted them during the year and asked the NGO to explain proper procedures for admitting a woman into a shelter.

G1. What is the total number of trafficking victims identified during the reporting period?

The GOI reported that it is difficult to provide an exact number of persons trafficked into Israel every year for the purpose of prostitution "as most victims do not identify themselves as such, and, as a rule, do not immediately submit complaints to the law enforcement agencies unless encouraged to do so." The GOI nevertheless claimed a sharp decline in the number of women trafficked for prostitution in Israel, which it said was evident in the number of trafficking victims located by law enforcement agencies, as well as by the Knesset Subcommittee on Trafficking and NGOs. The GOI reported that 12 sex trafficking victims were transferred by the Police to the Maagan Shelter in 2008, and said that most of the victims had been trafficked several years ago. The Maagan Shelter housed 25 women and 5 children (of women staying at the shelter) at the time of this report.

Isha L'Isha reported that it identified 41 new cases of sex trafficking in 2008.

Hotline reported that it we assisted a total of 45 trafficking victims in 2008, including 25 slavery victims and 20 prostitution victims, and that 16 of the 45 were new cases from 2008 (12 for slavery and 4 for prostitution) plus two victims identified in January 2009. Hotline said that only one of these individuals was referred by the authorities (the Immigration Authority) for the NGO's assistance. Hotline noted that five of the slavery victims are men, "for whom no appropriate framework is available."

Six female victims of trafficking for labor resided in the Maagan Shelter in 2008. The Crime Unit in the Immigration Administration, working with the State Attorney's Office, opened 24 investigation cases in 2008 concerning forced labor, of which one indictment was filed in November, and four additional indictments were under various stages of preparation and review by the State Attorney's Office at the time of this report.

G2. Of these, how many victims were referred to care facilities for

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assistance by law enforcement authorities during the reporting period?

The GOI reported that all women referred to the Maagan Shelter in 2008 were referred by the Police.

G3. By social services officials?

None, according to the GOI.

G4. What is the number of victims assisted by government-funded assistance programs and those not funded by the government during the reporting period?

The Maagan Shelter provided services to 44 women and 7 children during 2008.

H1. Do the government's law enforcement, immigration, and social services personnel have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact (e.g., foreign persons arrested for prostitution or immigration violations)?

Isha L'Isha noted some problems in identification. They reported a



few cases during 2008 where women (that Isha L'Isha considered trafficking victims) who had been arrested by the Immigration Police were not recognized as trafficking victims by the immigration judges. Isha L'Isha also noted that there were some women who had been trafficked in earlier years that were not recognized as trafficking victims by the judges at the time, and presumably were not therefore eligible for services and legal support that they were entitled to.

The Immigration Administration issued guidelines regarding the identification and location of sex trafficking victims both in the field and in the detention facilities, including specific training and circulation of the relevant guidelines, and kept in contact with relevant NGOs to improve identification efforts.

A subcommittee appointed by the Committee of Directors General that deals with trafficking submitted recommendations on indicators and procedures for identify labor trafficking victims. These recommendations were approved by the Committee of Directors General in May of 2008 and were disseminated to the Immigration Administration, the Police, the Ministry of the Interior, the State and District Attorney's Offices, NGOs, judges of the Detention Tribunal.

The GOI reported that every officer of the Immigration Administration undergoes training and seminars on the identification and location of trafficking victims, and are required to be proactive because "often the victims themselves are not aware of their situation, and therefore proper training of the police officers engaging with them is crucial." NGO representatives are allowed routine entry to the detention facilities to interview the inhabitants and to assess whether they are victims of offenses. The NGOs inform the Immigration Administration of such cases, according to the GOI, which added that following their complaint, the foreign worker is interviewed by an officer to address these concerns. The GOI noted that Special Detention Tribunal judges are "well informed of the characteristics of trafficking victims" and alert the Immigration Administration of cases they suspect are trafficking related.

Kav LaOved confirmed that the inter-ministerial task force on trafficking in persons issued guidelines relating to the identification of labor trafficking victims in January 2008 and recommended that all relevant government agencies issue procedures for identifying trafficking victims for slavery and forced labor based on these guidelines. Kav LaOved reported that their experience, however, demonstrated that these guidelines were not implemented in practice, and that there was a "general failure of the authorities to identify victims of trafficking, despite the fact that at junctions such as custody and deportation centers, if migrant workers were questioned properly, it would be possible to identify such victims."

Kav LaOved also argued that according to MITL regulations, a manpower agency dealing with caregivers must send a social worker to check the suitability between the employer and employee from time to time. Kav LaOved complained that these social workers are employees

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of the agency, and that impartial social workers (who are public officers) should pay such visits and make sure that the migrant worker is not being treated in a manner that constitutes slavery or forced labor.

H2. For countries with legalized prostitution, does the government have a mechanism for screening for trafficking victims among persons involved in the legal/regulated commercial sex trade?

N/A

I1. Are the rights of victims respected?

Yes. Isha L'Isha reported "stereotyped responses" in some departments and said that a "lot of work is required with the police" but agreed that women's rights were respected. Hotline agreed that the women's rights are respected.

I2. Are trafficking victims detained or jailed? If so, for how long?

Kav LaOved reported that if the victim has no visa, he or she is detained in order to be deported and brought before the Custody Tribunal (located at the detention center) within four days. Kav LaOved noted that the Tribunal might release the victim on bail if it is convinced that the victim has "a good chance of sorting out their status, and if it is convinced that they will leave the country if they fail to sort out their legal status."

I3. Are victims fined?

No.

I4. Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

No.

The GOI reported that it has been the policy of the Police and prosecutors from the State Attorney's Office not to indict victims of trafficking for crimes which are integral to trafficking, and said that trafficking victims are also not generally to be indicted on crimes integral to trafficking "even if they have been found to return to Israel illegally several times." The GOI stated that it has been established that women answering the basic criteria of a victim should be presumed to be a victim unless proven otherwise.

The GOI reported that labor trafficking victims are treated in a similar manner. The Government perceives illegal migrants as victims and they are removed without being subject to criminal proceedings, according to the GOI, which said that emphasis is placed on prosecuting the employers and the manpower companies that facilitated the offenses. The GOI reported that in many cases the Government subsidized the cost of the workers' ticket back to their countries of origin, and before they left the country aided them in collecting money owed to them.

J1. Does the government encourage victims to assist in the investigation and prosecution of trafficking?

The GOI reported that it was a matter of Police policy to encourage victims of trafficking to testify against traffickers and to "try to ensure that traffickers will be prosecuted and will not subject additional women to abuse." Isha L'Isha agreed that Maagan Shelter ("alone") provided such assistance, but said that if the woman was not in the shelter "she had no rights."

For labor trafficking victims, the GOI said "if a foreign worker wishes to file a complaint, every effort is made to encourage him/her in doing so."

Kav LaOved reported that they often find law enforcement agencies do not act "decisively and vigorously" to investigate and prosecute cases of labor trafficking, and that even when they do investigate, "there is no parallel assistance provided to the victims, which therefore does not encourage them to file complaints."

Hotline said that, as a general rule, women slavery victims accepted to the Maagan Shelter received assistance in giving testimony.

J2. How many victims assisted in the investigation and prosecution

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of traffickers during the reporting period?

The GOI reported that 4 of the 12 victims of trafficking for prostitution referred to the Maagan Shelter in 2008 agreed to testify "but were eventually not required to do so" and that three women were "in the process of testifying" at the time of this report. The GOI noted that the percentage of women staying in the shelter who choose to testify "continues to decline."

J3. May victims file civil suits or seek legal action against

traffickers?

The GOI reported that sex trafficking victims have the right by law to receive free legal aid in order to initiate civil suits arising from the trafficking offenses committed against them, or administrative procedures relating to the Entry to Israel Law. The GOI noted that these victims are also assisted with parenthood claims against Israeli partners, and that the aid is not contingent on economic criteria. The Legal Aid Branch provides services regardless of the date of their victimization. The GOI reported that in 2008, Legal Aid lawyers assisted three individuals in requests for a work permit and a visa, and that in two cases temporary visas were granted and another request was being reviewed at the time of this report by the Ministry of the Interior. The GOI reported that nine total requests for legal aid were received, eight in the Tel Aviv bureau and one in the Jerusalem bureau, including four cases of assistance in civil claims.

Details on awards may be found beginning on page 124 of the GOI response.

Kav LaOved reported that legally victims file civil suits or seek legal action against traffickers, but practically, they seldom do. Victims whose rights under employment laws are violated (e.g. paid below minimum wage) have good success rates in the Labor Court, according to Kav LaOved, who said that these violations are easily proven (the burden of proof being frequently on the employer), labor courts are relatively accessible (court fees are low), hearings are relatively swift, and there are many lawyers working in this field who are willing to work for a contingent fee. Kav LaOved noted that when suing the traffickers for more serious harm resulting from slavery or forced labor, the Justice Ministry does provide legal assistance to victims of trafficking, but that the process is lengthy, requires additional funds (travel to court hearings, providing a translator) and the chances of winning a successful judgment are "very low."

J4. Does anyone impede victim access to such legal redress?

Kav LaOved reported that traffickers sometimes threaten victims and/or their family members abroad, and that recruitment agents often tell victims that if they seek legal redress they will not be able to find further employment (through them or other agencies) and will therefore be exposed to deportation. But there were no complaints from NGOs of authorities impeding access to legal redress.

J5. If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings?

Sex trafficking victims residing at the Maagan Shelter were able to obtain employment. The GOI did not comment on whether the victims were able to leave the country pending trial proceedings. On July 1, 2008, the Ministry of the Interior published a written procedure for granting visas to victims of slavery and trafficking for slavery and forced labor. The GOI reported that under this new procedure, three persons received preliminary three months visas, nine persons received an extension of their visa, two persons received an "inter-visa", two persons received a one-year rehabilitation visa, and another person received a visa for an additional year.

Hotline noted that victims may leave Israel during the civil proceedings, and added that these proceedings are not considered grounds for remaining in Israel by the Ministry of the Interior. Hotline said that if the state sues someone, they must remain in Israel, whatever their conditions, but when the individual sues, the state will not enable them to remain in Israel until the proceedings are completed if this is the only grounds for being present in Israel.

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J6. Are there means by which a victim may obtain restitution?

Israel does not have a restitution program by which every victim may

receive compensation without a court case, but domestic law accords victims of trafficking (as part of the group of people who can substantiate a case) the right to file civil and administrative suits. Civil suits have been filed in the Labor Courts and the regular court system, claiming compensation by tort law, contract law or "unjust enrichment" law. In addition to compensation in civil cases, trafficking victims are entitled to be compensated up to a sum of NIS 228,000 (\$57,000) under Section 77 of the Penal Law, for each count.

Kav LaOved noted that the October 2006 Anti Trafficking Law provides that money confiscated from traffickers will be put in a fund, and that at least half of the money in the fund will be used for the "rehabilitation" of victims of trafficking, with a portion of the money to be reserved to compensate victims who cannot collect their compensation from the trafficker ordered by a civil court. Kav LaOved commented that regulations governing the operation of the fund were drafted, but have not been enacted into law yet.

K1. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

See previous answers for government programs. Isha L'Isha reported that the state also made an effort to establish databases of trafficking victims.

K2. Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries?

A section about trafficking in persons is part of the training program that Israeli diplomats undergo before starting their mission abroad as head of consular departments at Israeli embassies. The GOI reported that Israeli embassies are also in contact with NGOs as part of their routine work, including NGOs that deal with trafficking. Israeli Embassies cooperated with NGOs in the distribution of information about the dangers of trafficking and in facilitating the safe return of victims to their countries.

K3. What is the number of trafficking victims assisted by the host country's embassies or consulates abroad during the reporting period?

The GOI said that as - apart from "a few isolated cases" - there is no identified problem of trafficking from Israel, such assistance was not required. The GOI added that such a mechanism will be considered "if the need arises."

K4. Please explain the type of assistance provided (travel documents, referrals to assistance, payment for transportation home).

The GOI reported that representatives of the Ministry of Foreign Affairs participated in conferences, working groups, and other events organized on the topic of trafficking in persons by civil society, and that the Ministry, through its Embassies, assisted NGOs in various administrative and consular matters.

1L. Does the government provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking?

N/A

M1. Which international organizations or NGOs, if any, work with trafficking victims?

Israeli NGOs work cooperatively with The International Organization for Migration (IOM) and numerous NGOs in other countries, including, Winrock International, La Strada, The Assistance Center of St. Petersburg, and local NGOs in Ukraine.

Numerous Israeli NGOs work with trafficking victims. The following is only a partial listing.

Kav LaOved assists victims of trafficking for slavery and forced

labor. It provides mainly information and legal and paralegal assistance.

The Hotline for Migrant Workers assists both victims of trafficking for sexual exploitation and victims of labor exploitation (including minors.) It provides legal and paralegal assistance and visits detainees in detention centers.

Isha L'Isha assists victims of trafficking for sexual exploitation.

Physicians for Human Rights assists foreign workers by providing humanitarian health assistance, including to victims of trafficking.

The Israeli AIDS Task Force provides medication to victims that have AIDS, as well as emotional aid as necessary.

Machon Todaa works with Israeli prostitutes.

Kav LaOved reported that it continues to receive excellent cooperation from the National Coordinator, and some cooperation from the Immigration Police, but almost no cooperation from the Ministry of Interior. It reported some cooperation from MITL with regard to revoking licenses and permits and with employers and recruitments, but very little cooperation with regard to the issuance of indictments.

Hotline stated that the authorities rely heavily on NGOs for the provision of various services, such as identification and healthcare in HIV cases. Hotline reported that it received no government funding, and as far as they knew, neither did any other NGOs, other than the Maagan Shelter.

M2. What type of services do they provide?

Services in Israel are provided by Israeli NGOs, but NGOs in other countries are important partners in gathering information (including evidence) and reintegrating victims. The local offices of International organizations such as Amnesty International and Physicians for Human Rights operate essentially as Israeli NGOs. The GOI initiated an agreement between Thailand and IOM to supervise recruitment of foreign workers from Thailand.

M3. What sort of cooperation do they receive from local authorities?

This varies depending on the country. They receive good cooperation from the GOI when called for, but normally work through Israeli NGOs.

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16. PREVENTION  
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A1. Did the government conduct anti-trafficking information or education campaigns during the reporting period? If so, briefly describe the campaign(s), including their objectives and effectiveness.

According to the GOI, the National Coordinator emphasized education and information. On various occasions she lectured army units, the city of Kfar Saba, municipality workers in Beer Sheva, university students, and social workers for the Ministry of Social Affairs and Social Welfare, among others. The National Coordinator also disseminated information on trafficking via an internet site and via a weekly digest sent to entities within and outside of the Government. She prepared an annual document on Government anti-trafficking efforts that is posted on her office's website, and wrote articles for publication.

Members of the State Attorney's Office and the Legal Aid Branch of the Ministry of Justice gave several public lectures on trafficking. The Authority for the Advancement of Women sponsored several anti-trafficking seminars throughout the country. The Ministry of

Education prepared a booklet on trafficking in women that is scheduled for distribution to the members of the secondary education system. The Ministry of Education also held four conferences on human dignity and trafficking for 517 members of the education system. 4,072 students and 258 teachers participated in a program on gender equality. 1,500 students and 104 educators participated in a program on trafficking, which also involved activities

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involving parents in the issue. The Authority for the Advancement of the Status of Women funded approximately 200 lectures that were given in schools throughout the country on the prevention of violence towards women and on the prevention of prostitution and trafficking in women. On the International Day commemorating the abolition of slavery (December 2, 2008), the Ministry of Education circulated a lesson plan focused on the possibility that a girl engaging in prostitution might be a girl from the class or from the neighborhood.

The Israel Broadcasting Authority (IBA) addressed the issue of trafficking in women via topics such as the State Department's TIP Report, activities of the Knesset Trafficking in Women Subcommittee, the extent of trafficking in women for prostitution in Israel, and investigative reports on pandering practices. IBA also addressed labor trafficking in a similar manner. The issue was also debated in the IBA's radio channels, including ongoing reports on Police raids on brothels and the Police treatment of the women.

A special workers' rights brochure ("Zchuton") on the rights of foreign workers in the construction field is routinely updated by MITL in English, Russian, Romanian, Turkish, Thai and Chinese. Licensed manpower companies are required to distribute "Zchuton" to each foreign construction worker on a yearly basis and on renewal of the worker's employment contract. The GOI reported that a brochure describing all the general labor rights of foreign workers in Israel is distributed to each foreign worker who arrives at Ben Gurion airport, and said the brochure is routinely updated and posted on the MITL website in English, Hebrew, Chinese, Thai, Russian, Romanian and Turkish.

The Authority for the Advancement of the Status of Women conducted a survey designed to examine public attitudes regarding trafficking in women and prostitution.

The Government approved an annual National Award (the first will be awarded in March 2009) for individuals and bodies who have made outstanding contributions to the battle against trafficking in persons.

Isha L'Isha agreed that the government established a program this year to prevent women from being trafficked, gave various lectures on the issue, and invited the NGO to share its knowledge by lecturing to more than 1,300 professionals and various audiences. Isha L'Isha also noted that the Office for the Advancement of Women established campaigns and seminars in the issue of trafficking, and the Ministry of Education's brochure. Isha L'Isha praised the efforts, but still called the actions inadequate "because there is no in-depth work with professionals in regard to the problematic institutions, like the Ministry of Interior." Isha L'Isha complained that the Ministry of Interior decided on a seminar without the participation of NGO representatives.

A2. Please provide the number of people reached by such awareness efforts, if available.

No overall figures were available. Numbers for some specific programs are indicated in the program descriptions that begin on page 138 of the GOI response.

A3. Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor)? (Note: This can be an especially noteworthy effort where prostitution is legal. End Note.)

The GOI reported that, along with promoting general awareness of the problem, the Ministry of Education, Kibbutzim, Israel Broadcasting

Authority, and IDF campaigns targeted potential clients of prostitution/trafficking victims. In addition, according to the GOI, most of the programs promoted sensitivity to the humanity and dignity of prostitution/trafficking victims, and such awareness helps reduce demand.

B1. Does the government monitor immigration and emigration patterns for evidence of trafficking?

Due to security concerns, Israel guards its borders very carefully, although stretches of the Egyptian border have can be difficult to control. Due to attempts of foreign nationals to enter Israel without proper visas through Ben Gurion airport in recent years, supervision at the airport was also tightened, according to the GOI.

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Border control is conducted by special units of the Israel Police acting under the authority of the Ministry of the Interior. The GOI reported that during 2008, the Ministry of the Interior "continued its heightened awareness" and monitored new patterns of trafficking using forged documents and fictitious marriages. The GOI reported that the change in sex trafficking patterns noted in paragraph 2 section B7 prompted the Committee of Directors General dealing with TIP to appoint a subcommittee headed by the Deputy Director General of the Ministry of Public Security to examine changing patterns of prostitution and trafficking for prostitution. At the time of this report, the committee had heard from NGOs on various issues (including trafficking of Israeli women abroad, using drugs to control women, prostitution of Philippine and Chinese women, and entry via forged passports rather than via the Egyptian border) but had not yet arrived at conclusions and recommendations. A recent case example was cited on page 32 of the GOI response.

B2. Do law enforcement agencies screen for potential trafficking victims along borders?

The GOI reported that traffickers are detained upon entry into or exit from Israel "in cases where intelligence information exists" and said that every trafficking suspect is referred to the police unit stationed in Ben Gurion Airport.

Kav LaOved noted that border patrols are primarily for the purpose of preventing people from illegally crossing the borders rather than for the purpose of screening for potential trafficking victims.

C. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force?

The National Coordinator, who works out of the Ministry of Justice, has the lead for international and inter-governmental communication and coordination. Other important mechanisms are the Knesset Subcommittee on Trafficking in Women and the Knesset Special Committee on Foreign workers, and the Permanent Round Table. The Knesset subcommittees provide forums for discussion of trafficking issues, monitors measures to address trafficking, and members are often the source of legislative initiatives to combat trafficking. The Permanent Round Table is a subcommittee that was established to recommend a National Plan to combat slavery and trafficking for slavery and forced labor and serve as a permanent round table to meet periodically in order to study problems and map out strategies.

The entire round table was not convened in 2008, although various representatives met at different times to deal with specific problems.

In June 2008, a 13-member delegation visited Moldova, one of the main source countries for trafficking in persons for prostitution in Israel. Israeli participants included representatives of the Ministry of Justice, the Ministry of Social Affairs and Social Services, the State and District Attorney's Office, the Police, the National Coordinator, Hotline, and Isha L'Isha. The visit was sponsored by the European TAIEX project, and included a seminar and meetings with representatives from Moldovan and the Ukrainian government agencies and NGOs, as well as on-site visits in rural Moldova.



Staff members from the Maagan Shelter, a representative from the Ministry of Social Affairs and Social Services, and representatives from Isha L'Isha and Machon Todaa visited in April and May 2008 and met with representatives of the Italian Government and Italian NGOs, and toured a street prostitution area. This trip was also sponsored by TAIEX.

The Police also attended various international seminars and conferences on trafficking to improve international and regional cooperation to combat TIP and to establish and strengthen relationships with counterparts in other national police agencies and in Interpol.

There is strong cooperation between most government agencies and NGOs. The GOI highlighted cooperation between NGOs and MITL, the Immigration Administration, the Police, and the National Coordinator. The Ministry of the Interior again received the lowest marks from NGOs, who generally found it the least cooperative branch of the Government.

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According to Isha L'Isha, every relevant government office has a representative familiar in depth with the subject that they could approach when needed.

Further details of cooperation between specific GOI and NGO entities can be found beginning on page 146 of the GOI response.

D1. Does the government have a national plan of action to address trafficking in persons?

Yes. A National Plan was adopted by the Government on December 2, 2007, according to Government Resolution number 2670. The Committee of Directors General decided to promote five goals as the highest priorities in combating trafficking for the purpose of prostitution: in the realm of prevention, to strengthen supervision of the Egyptian border; in the realm of prosecution, to encourage awareness of possible changes in patterns of criminal activity and act accordingly; in the realm of protection, to fashion a tool kit to facilitate the identification of victims of trafficking; in the realm of protection, to promote the safe return of victims of trafficking to their countries of origin; and in the realm of protection, to make efforts to ensure medical treatment to all victims of trafficking who have legal status in Israel.

The Committee of Directors General decided to promote six goals as the highest priorities in combating trafficking for the purpose of labor: in the realm of prevention, to undertake information campaigns in the countries of origin of foreign workers in order to equip them with basic information about their conditions of employment and rights; in the realm of prosecution, to coordinate a clear division of labor among the law enforcement agencies in regard to investigation and prosecution of regulatory offenses versus Penal Law offenses like trafficking and slavery; in the realm of prosecution, to design a guide by which to identify victims of trafficking and slavery (otherwise known as a national referral mechanism) to be used at relevant crossroads; in the realm of prosecution, to build a comprehensive network of translators to be utilized at all relevant junctions where foreign workers come into contact with government representatives; in the realm of protection, to establish supportive frameworks and an array of services for victims of trafficking and slavery, including residence solutions, if necessary, and medical insurance; and in the realm of protection, to design a visa procedure for victims of slavery and trafficking for slavery and forced labor.

Further details of the plan, for both sex and labor trafficking, can be found beginning on page 158 of the GOI response. An analysis of the progress of the different teams working on various aspects of the plan can be found beginning on page 44 of Hotline's response.

D2. If the plan was developed during the reporting period, which agencies were involved in developing it?

The National Coordinator served as chairman for development of the National Plan to Combat Trafficking for Prostitution. Representatives of the Ministry of Justice, the Ministry of Social Affairs, the Ministry of Social Services, the Ministry of the Interior, the Ministry of Public Security, the Ministry of Foreign Affairs, the Ministry of Health, the Police, the Immigration Administration, and the director of the Maagan Shelter all participated in the process.

The National Coordinator also served as chairman for development of the National Plan to Combat Trafficking for Labor. Representatives of the Ministry of Justice, the Ministry of Social Affairs, the Ministry of the Interior, the Ministry of Public Security, the Ministry of Foreign Affairs, MITL, the Ministry of Health, the Police, and the Immigration Administration all participated in the process.

D3. Were NGOs consulted in the process?

Yes, representatives from Hotline, Isha L'Isha, Machon Todaa, the Women's Court, Anachnu Shavot, and Atzum participated in the development of the National Plan to Combat Trafficking for Prostitution.

Representatives of Hotline, Kav LaOved, Amnesty International Israel, Physicians for Human Rights Israel participated in the development of the National Plan to Combat Trafficking for Labor.

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Isha L'Isha described the National Plan as a plan that was built in cooperation with the NGOs, and said that "all the representatives of all the authorities were involved in this plan." In the words of Isha L'Isha, "there have been many dilemmas, but we have overcome most of them, and in some we had to compromise."

D4. What steps has the government taken to implement the action plan?

The GOI reported that the following steps have been taken.

MITL formulated procedures for new employment methods in the nursing care and agriculture fields. In nursing care, the procedure regarding private bureaus geared towards bringing, mediating and caring for foreign workers came into force in September 2008, and the GOI reported that implementation had already begun. Licenses and permits for private bureaus were granted solely to corporations that adhered to all the special provisions set for a license and a permit according to the Employment Service Law. The details of the 140 licensed bureaus were published in the MITL website in Hebrew and English.

In agriculture, a draft procedure was completed at the beginning of March 2008 and published on the website of the Foreign Workers Department. The GOI reported that the general public was invited to address the draft and several responses were submitted. Following these responses, a conference was held in May 2008. The GOI reported that this new method is to be implemented in the upcoming months.

In the area of international cooperation, relevant ministries met throughout 2008 with members of the origin countries that send foreign workers to Israel in order to improve coordination on these issues. Members of MITL met with representatives from the Governments of Nepal, the Philippines, China, Turkey, and other countries.

In one notable case in 2008, the Labor Court acknowledged the status of a trafficking victim for prostitution as an "employee" and granted her minimum wages. In the appeal process, the Attorney General was asked to provide an opinion regarding the existence of employer-employee relations between a person engaging in trafficking and her employer, whether a trafficking victim or not. The case has stirred debate among trafficking opponents who have differing views on whether establishing an employer/employee relationship helps or hurt, whether the Labor Court is the proper venue for this decision,

how this affects questions of compensation, whether this decision agrees with international standards, and other issues. A full explanation of the case can be found beginning on page 170 of the GOI response.

Further details on implementation can be found beginning on page 169 of the GOI response.

Kav LaOved emphasized that the objectives have not been implemented, but rather that work plans to achieve these objectives were drafted.

Kav LaOved said that they were not aware of an increase in the number of lawsuits against employers, information campaigns for workers, or assistance to victims wishing to return to their counties.

E: What measures has the government taken during the reporting period to reduce the demand for commercial sex acts?

According to the National Plan to Combat Trafficking for Prostitution, comparative research was undertaken to consider legislation to criminalize purchasing prostitution services. The GOI reported that the research was completed in early 2009 by the Office of the National Coordinator and is to be edited and submitted to the Deputy Attorney General for Criminal Matters for deliberation.

A private bill "The Prohibition of the Use of Paid Sexual Services Law, calling for criminalization of all clients of the sex industry" was drafted in the Knesset. According to the bill, a client would be liable for six months imprisonment or an educational program upon his first arrest for this offense. Aggravating circumstances (such as receiving prostitution services from a minor, a victim of trafficking, or an addict, or if the client is a public official) could raise the penalty to five years imprisonment. The National Coordinator convened a series of meetings to examine the bill. The

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inter-ministerial committee (which also included NGOs and academics for most of its meetings) decided to delay a final decision for a year to allow for further study.

1F. Required of all Posts: What measures has the government taken during the reporting period to reduce the participation in international child sex tourism by nationals of the country?

Child sex tourism does not constitute a significant problem in Israel, according to both the GOI and NGOs. Sections 203C of the Penal Law criminalizes purchase of prostitution services of a minor, and Section 15(b) of the Penal Law allows for extraterritorial coverage of offenses of prostitution and obscenity performed against a minor or in relation to a minor regardless of the place of the commission of the offense, provided it was performed by an Israeli citizen.

According to the Police, in 2008, there were no cases according to Section 203C of the Penal Law. The Police also reported that they did not receive any requests in 2008 to investigate cases regarding sex tourism of Israelis abroad. The National Coordinator discussed this question with the Lahav Unit of the Police, which is responsible for investigating international crime, and reported that she was told they would be willing to consider undertaking these kinds of investigations, but that they would require the cooperation of police in the countries of origin. In order to forward this initiative, the National Coordinator approached the U.S. Embassy with a request to hold a video conference between the Lahav Unit and relevant U.S. law enforcement agencies in order to learn from the U.S. experience. The National Coordinator also approached the U.S. Embassy asking for police contacts in relevant countries of origin such as India and Thailand. Those initiatives were in process at the time of this report.

1G. Required of posts in countries that have contributed over 100 troops to international peacekeeping efforts: What measures has the government adopted to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking or exploit

victims of such trafficking? If posts do not provide an answer to this question, the Department may consider including a statement in the country assessment to the effect that "An assessment regarding Country X's efforts to ensure that its troops deployed abroad for international peacekeeping missions do not engage in or facilitate trafficking or exploit trafficking victims was unavailable for this reporting period."

N/A

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NOMINATION OF HEROES AND BEST PRACTICES  
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17. (U) HEROES: The introduction to the past four TIP Reports has included a section honoring Anti-Trafficking "Heroes" These individuals or representatives of organizations demonstrate an exceptional commitment to fighting TIP above and beyond the scope of their assigned work. The Department encourages post to nominate one or more such individuals for inclusion in a similar section of the 2009 Report. Please submit, under a subheading of "TIP Hero(es)," a brief description of the individual or organization's work, and note that the appropriate individual(s) has been vetted through databases available to post (e.g. CLASS and any law enforcement systems) to ensure they have no visa ineligibilities or other derogatory information.

Post nomination(s) of Anti-Trafficking Hero(es) will follow separately.

18. (U) BEST PRACTICES. For the past five years the Report has carried a section on "Best Practices" in addressing TIP. This section highlights particular practices used by governments or NGOs in addressing the various challenges of TIP and serves as a useful guide to foreign governments and posts as they design anti-TIP projects and strategies. The Department encourages post to nominate "best practices" from their host countries for showcasing in the 2009 Report. Please submit, under a "Best Practice" subheading, a brief summary of the activity or practice, along with the positive effect it has had in addressing TIP.

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